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A  
HISTORY OF THE  
REVENUES  
OF THE  
KINGS OF ENGLAND

1066-1399



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1066-1399

BY

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## PREFACE

THE financial history of medieval England appears to have been somewhat neglected, though the materials for such a work exceed those enjoyed by any other country. Economic history has attracted more attention. The manorial system, systems of agriculture, prices and wages, have been fully dealt with ; but the story of the Royal income and national taxation has for the most part been left on one side.

In connexion with my previous works, and in contributions to the *Antiquary*, I have given totals of the revenue from the year 1241 to 1485, with Tables of the returns from the Customs from their formal start under Edward I to the same date. Very full details of the taxation of John and Henry III are given by Professor S. K. Mitchell in his exhaustive *Studies in Taxation under John and Henry III*. I have availed myself freely of his work with every acknowledgement. But he does not give us yearly totals,<sup>1</sup> while the taxation of the clergy is only partially dealt with.

A further investigation, therefore, of the revenues of our Anglo-Norman Kings ought not to be unacceptable to scholars.

A history of finance must begin with the official records. These are the Pipe Rolls, and the earliest of them is that of the 31st Henry I (1130-1131), the only one of the reign, very precious though incomplete. But the insight into the finances and taxable capacity of the country at the opening of the twelfth century, gained from this and subsequent records, will be found to justify a look backwards to the previous century. On the data as to the revenues of the Conqueror to be found in *Domesday* an estimate can be based, harmonizing so well with later records as to inspire confidence.

In dealing with accounts of the revenue mere tables of figures might serve statistical purposes, but not those of the general

<sup>1</sup> Conjectural estimates for 1202 and 1205 are given, p. 16, amounting in round numbers to £26,000-£27,000, not far from my estimates.

reader, unless illustrated by details, and considered in connexion with current events. Accordingly I offer my figures and tables in connexion with a continuous history, abridged from my previous works and those of others. For facts of special interest the original authorities are given.

The Pipe Rolls are not added up; they give no totals. The adding of manuscript figures is very laborious. But the one Pipe Roll of Henry I and all those of Henry II<sup>1</sup> are, happily, in print, an immense relief. Thus full details of the contents of each Roll can easily be given and the summation of the total revenue reached without too much trouble. I have continued to work on the same system with the manuscript Rolls of Richard I; and with his reign my work as originally contemplated was to end. But I was induced to extend my labours, first to the year 1307, and again to the year 1399. With that prolongation the same detailed treatment became impossible. From the manuscript Pipe Rolls of Richard I and John I shall only be able to give the totals of selected years, estimates being offered for the intermediate years. For illustrations of the methods of government and the social state of the country in the thirteenth century, I would invite the attention of the reader to my cullings from the Pipe Rolls. Judicial combats and appeals to the Ordeal are matters of daily occurrence. Of a judicial combat we have a contemporary illustration to offer. The reader will be shocked to hear of professional informers, men trained in the use of arms, kept in the King's pay, and carried about from place to place to support "the case for the prosecution", as might be required. The ferocity of the old English criminal law stands fully revealed. More shocking still it is to think that the professional informer could still be an institution in the eighteenth century.<sup>2</sup>

The Pipe Rolls, though mainly dealing with the accounts of the sheriffs of the counties and provosts of the boroughs, give practically the full revenue till we reach the time of Parliamentary grants. The yield of these does not appear on the Pipe Rolls, but must be sought in the Subsidy Rolls.

<sup>1</sup> The Rolls of Henry II are due to the Pipe Roll Society.

<sup>2</sup> See Gay's "Beggar's Opera", where Peachum values the hanging of a man as worth £40 to him; Act I, scene i. For a judicial combat see illustrations to Henry III.

Besides giving the total of the revenue year by year, I append at the end of each reign a table of all the yearly totals. I also append to each reign further tables showing the products of the various branches of the revenue, legal or illegal, beginning with the County Farm rents. These as settled under Henry II remained practically on the same footing throughout our period, and so that table must serve once for all; but I give the returns from Danegeld, Scutages, Feudal Aids, Tallages, Revenues of Vacant Sees, Subsidies Clerical and Lay, and notably those of the Customs. These last are given from the detailed accounts of the Collectors at the individual ports, the only full returns.

With the reign of Henry II I give the Iters or Judicial Circuits of the Justices in Eyre, instituted by his grandfather and systematized by himself. The names of all the judges will supply additions to the lists in Mr. Foss's "Judges", which begin in 1166. The reports of the proceedings on these Iters throw considerable light on the working of the local County Courts and Hundred Courts, and their subjection to supervision by the King's Itinerant Justices. A whole County or Hundred may be 'amerced', i. e. subjected to a heavy fine (*Communis Assisa*) for a false step, or an erroneous decision given in its Court.

With the Pells we get Rolls that give totals, and not only totals but subtotals, showing the daily working of the Exchequer. At the same time it must be pointed out that under the financial system that prevailed from the time of the institution of the Pells to the accession of Richard II these records do not present us with the full revenue. Before the year 1377 the receipts were not paid wholly into the Exchequer, but partly into it and partly into the minor Exchequers of the Wardrobe or Wardrobes, as the case might be. To get at the full revenue, the receipts paid into the Wardrobe must be taken into account. But here the student finds himself faced by a most laborious task. The Wardrobes were not wholly fed by receipts from branches of the revenue, but partly by such, and partly by transfers from the Exchequer. These transfers have to be struck out one by one, or else they would appear twice in the accounts. The reader therefore must be warned that the Wardrobe totals shown on our tables of the revenue are not official totals, but totals arrived at by striking out the transfer items.



As an introduction to a study of national Finance, an acquaintance with the system under which the money was paid in and paid out again seems desirable. I have therefore thought it not superfluous to incorporate a fresh rendering of the celebrated *Dialogus de Scaccario*, with all acknowledgement of indebtedness to Mr. Lane Poole's "Exchequer", and the learned editors of the standard text. But it must be said that, in fact, Bishop Nigel only cares to give us a view of a full-dress Audit, such as would be held at Michaelmas. This fact appears to have been hitherto overlooked. For the daily working of the Exchequer, the times of sitting and vacation, and the like, we must look, not to the Pipe Rolls, but to the later Pell Rolls of Receipt and Issue, and in these the whole working of the system is exhibited, with daily, weekly, and terminal totals for the benefit of the historian, together with the terms of sitting and the intervals of vacation.

As the system of the Exchequer was undoubtedly established under Henry I, though the account that we have of it was penned under Henry II, I introduce my account of the *Dialogus* before attacking the revenue of the elder Henry.

The Illustration of the Wager of Battle is a photograph of the engraving given by Madox, "Exchequer", I. 551, from the report of the case formerly in the Tower and now presumably in the Record Office. The case seems to belong to the time of Henry III.

J. H. RAMSAY.

1923.

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## ILLUSTRATION

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## ERRATUM

Vol. I, page 239, line 2. *for* Fifteenth *read* Twentieth.



## WILLIAM I

*Crowned 25th December 1066; died 9th September 1087*

A HISTORY of the revenues of English Kings, in strictness, can only begin with the official records of the same; and the earliest of these now extant is the Pipe Roll of the 31st Henry I for the financial year 1130-1131. But a glance at the finances of the reigns of the Conqueror and William Rufus may not be out of place. For the income of the Conqueror data can be found in Domesday. On the Rolls of Henry I and Henry II we have thirty-four counties accounting to the King. For the Royal estates (*Terra Regis*) in twenty-one of these counties the returns have been taken out by C. H. Pearson, and they amount to £8,870 os. 8½d.<sup>1</sup> For eleven missing counties we have taken the county farms of the 31st Henry I; and when those were not available, those of Henry II. The sum comes to £3,164, making with the £8,870 os. 8½d. of Domesday a total of £12,034 os. 8½d.; a sum that will be found to tally well with the county farms that we shall find under Henry I and Henry II.

Besides his landed returns William would 'enjoy' the profits from the administration of justice, namely the judicial penalties, or 'amercements', inflicted for crimes committed,<sup>2</sup> the issues of all forfeitures and escheats, and those arising from the incidents of 'Wardship' and 'Marriage', prestations introduced with the New Feudalism. Lastly, the King would have the benefit of fines exacted for special Royal favours, a source of revenue incidental to personal government; all these will be found in later days to bulk largely in the Royal incomes. But with regard to the profits from the administration of justice under the Conqueror, we may suspect that the sway of the private franchise courts of

<sup>1</sup> History of England, I. 665: See Table. Some of the figures excite doubt. Devonshire (T.R.E.) is down for £1,070 9s. 4d., and Gloucestershire for £1,092 3s. 2d. Neither reached £400 under Henry II. Again, Middlesex is given at £1 7s. 8½d.

<sup>2</sup> Orderic specially notices the "*munera Regis*" and "*reatuum redemptiones*", p. 513.

the greater barons would be at its height, intercepting profits that later would go to the fisc. At any rate in later days the chief of these returns will be found to come from the action of the judicial circuits, and that of the King's Court of Exchequer, institutions not yet *in esse*. Again, with respect to the income from fines for royal favours we hesitate to ascribe to the great Conqueror the sordid administrative corruption that to so large an extent filled the pockets of a son and a grandson.

A further head of income, important under future Kings, was the impounding of the revenues of vacant Sees and Abbeys. Of such misappropriation William must be pronounced innocent. No charge of the sort is brought against him, while his attitude towards the Church was distinctly reverential.

Danegeld, an exceptional tax from the first, was called for by William more than once; but only as a war-tax, and in times of emergency. Of one only of these levies, namely that of 1084, has any account come down to us. In that year under alarm of a threatened Scandinavian invasion on the largest scale, a geld of six shillings on the hide was called for, a crushing impost, but the records of the collection of the tax in the five western counties, preserved in the Exon Domesday, make it clear that it was paid, and paid at that rate. The amount for those counties is given as something less than £2,000.<sup>1</sup> On the one Pipe Roll of Henry I, and two Pipe Rolls of Henry II, we have full returns of Danegeld, at 2s. the hide, showing that the full assessment at that rate should have come to about £5,000. But the most that we find actually paid was £3,132, namely in the 8th year of Henry II. The assessment for the geld at 6s. the hide therefore would amount to £15,000. If the tax was not better paid under William than it was under his son and his grandson, the yield would come to £9,000-£10,000, and with that estimate the recorded return of £2,000 from the rich western counties seems to tally.

William is represented as greedy of money, but he was not a financier. According to the ideas of the time he left a considerable amount of treasure. But he had the revenues of Normandy as well as those of England at his disposal. He probably took a strict account of what was due to him; but if he kept

<sup>1</sup> Ellis, Domesday, II. 350.

his hands off Church property, apart from years when Danegeld was levied, we cannot believe that his revenue exceeded £20,000. It cannot have reached the revenue which we shall make out for Henry I or about £27,000 in round numbers.

No change was made by William in the coinage, the silver penny still being the only piece struck. It contained  $22\frac{1}{2}$  grains of so-called Troy measure, or 24 grains of Tower measure.<sup>1</sup> Broken into two or four pieces the penny served for halfpence and farthings, the breaking being done at the Mint. Twelve pence made a shilling, and two hundred and forty pence made a pound, either in weight or reckoning. Thus the £1 would contain about three times the amount of bullion that the present £1 contains. As moneys of account, besides the shilling and the £1, we have the ora or ounce, equivalent to 20 pence; and the mark equivalent to 120 pence, or 13s. 4d., the ora being the eighth of a mark. The mark and ora were of Scandinavian origin. Of the ora or ounce we hear most in connexion with payments in gold; the ounce of gold being worth 15s. in silver.

In practice we find the mark and its fractions almost as much in use as the £1 and its fractions, assessments and amercements being expressed in marks, payments in pounds. The standard ran about the same as at present, namely eleven ounces two pennyweights fine to eighteen pennyweights of alloy.<sup>2</sup>

By the Normans the English silver penny was known as the "*Esterlin*", in Latin "*Sterlingus*", to distinguish it from the French currencies, which were of lower standards; the English penny being worth two pennies of the currency of Le Mans, and four of that of Rouen, Angers, or Tours; and to the present day the word *sterling* has remained the specific designation of English currency. Gold stood at the rate of nine to one, the ounce of gold being worth 15s., and the mark worth £6. The gold bezant or *aureus* occasionally came into circulation; it was taken at 2s. under Henry II, at 1s. 9d. under John, and at 2s. under Henry III and Edward I.<sup>3</sup> Under the Conqueror money

<sup>1</sup> Hawkins, *Silver Coins of England*, 7 (ed. 1867); Ruding, *Annals of Mint*, I. 201 (ed. 1840). According to the "*Liber de Antiquis Legibus Londoniarum*" the original standard for the penny was 32 grains of wheat of good quality taken from the middle of the ear.

<sup>2</sup> Ruding, I. 6.

<sup>3</sup> Lane Poole, *Exchequer*, 83-5.

was minted at all the chief towns of the kingdom ; the following are among the places named on the coins of his time : London, Bath, Bristol, Canterbury, Colchester, Dover, Dorchester, York, Ipswich, Gloucester, Cambridge, Southampton, Hertford, Hereford, Hastings, Huntingdon, Exeter, Leicester, Lewes, Lincoln, Norwich, Oxford.<sup>1</sup>

As a fact bearing on the economic state of the country, it may be added that the style and finish of the coins of the times of the Conqueror and his sons show a marked falling off from those of the time of the Confessor ;<sup>2</sup> with the Conquest the art of the silversmith had fallen, if that of the architect had risen.

## TABLE

## COUNTY RETURNS UNDER WILLIAM I

(From Domesday, "*Terræ Regis*")<sup>3</sup>

	£	s.	d.
Beds . . . . .	175	11	6
Berks . . . . .	814	7	6
Bucks . . . . .	265	3	11
Cornwall . . . . .	152	11	6
Derbyshire . . . . .	143	13	0
Devonshire . . . . .	1,070 <sup>4</sup>	9	4
Dorset . . . . .	418	7	6
Essex . . . . .	496	2	2
Gloucestershire . . . . .	1,092	3	2
Herts . . . . .	71	14	4
Hunts . . . . .	169	10	0
Kent . . . . .	437	10	0
Leicestershire . . . . .	100	2	8
Middlesex . . . . .	1	7	8½
Norfolk . . . . .	1,324	13	3
Northants . . . . .	616	12	8
Oxon . . . . .	896	15	3
Surrey . . . . .	251	0	3
Sussex . . . . .	52	0	0
Warwickshire . . . . .	191	0	0
Worcestershire . . . . .	129	5	0
	£8,870	0	8½

<sup>1</sup> Ruding, I. 154-155, 162.<sup>2</sup> Id. III, Plates, 25 and Append. I ; Hawkins, I. 172, 173.<sup>3</sup> C. H. Pearson, History of England, I. 665.<sup>4</sup> Return T.R.E. That for William is wanting.

## WILLIAM II (RUFUS)

*Crowned 26th September 1087; died 2nd August 1100*

FOR the revenues of William Rufus we have even fewer data than for those of his father. The chroniclers tell us that he succeeded to a great amount of treasure—as they regarded it—and that the whole energies of the Government were devoted to raising money to satisfy his extravagance. At any rate, from the time when he was relieved of such controlling influence as Lanfranc could exercise over him, the story of the reign becomes one of extortion and robbery. Nothing was safe from the King; everything was turned into money. Under Rufus, in the words of William of Malmesbury, ‘nobody had any cash except the money-lender; no cleric could get on, unless he was a petty-fogger, nor any priest get a living unless he paid for it.’<sup>1</sup>

The name of his faithful Treasurer and Minister “Renouf Passeflambard”, otherwise ‘Ralph, the Devouring Torch’,<sup>2</sup> has become a byword. The whole financial and judicial arrangements of the kingdom were in his hands, and his one duty was to find devices for filling his master’s pocket. In that business he showed “indefatigable zeal”. All the openings offered by the chicane of feudal law were pressed to the utmost. Arbitrary Reliefs were exacted from heirs; the personal estates of tenants *in capite* were confiscated at their deaths;<sup>3</sup> fines for petty offences were literally ‘at the King’s mercy’ (*misericordiæ*). Then the analogy of lay fiefs was applied to church preferment—to the ingenious logic of the ruthless Torch was due the illegal practice of impounding the revenues of vacant Sees and abbeys in the same way as the rents of minors’ estates in hand were impounded—a system destined long to prove a standing resource for the Royal fisc. A vacancy could be prolonged indefinitely, and when the See

<sup>1</sup> William of Malmesbury, *Gesta Regum*, s. 314.

<sup>2</sup> Florence of Worcester, 167 (Engl. Hist. S.). For Ralf’s career see Stubbs, *Const. Hist.* I. 376.

<sup>3</sup> See Article 7 of Henry I’s charter disclaiming these practices.



was filled, terms could be made with the person named as successor. We are told that at the King's death he had three bishoprics and eleven abbeys all 'set at rent'.<sup>1</sup> Again, Flambard might claim the credit of having invented scutage, or the practice of commuting personal service in war for money. In 1094, in view of a campaign in Normandy, Rufus ordered an army of local levies—the old fyrd—not liable for foreign service, to be sent abroad. When the men mustered at Hastings, Flambard took ten shillings apiece from them and sent them home.<sup>2</sup>

If this figure is correct he must have dealt very leniently with the men, as later we shall find £1 the common commutation for a knight's service, and sometimes 13s. 4d.

In 1096 Duke Robert, preparing to join the first Crusade, mortgaged Normandy to his brother for ten thousand marks (£6,666 13s. 4d.). According to the so-called Laws of Eadward the Confessor, compiled 1130-1150,<sup>3</sup> the money was raised by a Danegeld of four shillings on the hide, all exemptions in favour of demesne lands, even of those of the clergy, being arbitrarily suspended. Under these circumstances the assessment for the tax might have reached £10,000. We are told that the pressure of the impost was severely felt; and that in many cases the clergy had to part with the very vessels of the altar, books, relics and the like.<sup>4</sup> This is the only clear notice that we have of Danegeld during the reign; and again we may point out that it is called for only in connexion with special circumstances. Further, we learn from these same "Laws of the Confessor" that the tax was granted by the barons, the clergy protesting.<sup>5</sup>

That Rufus should find it desirable to consult something in the nature of a witenagemote seems very noteworthy.

The facts of the reign, in a general way, suggest a large average income. But it was again a very troubled reign. Rufus had twice to contend with formidable baronial rebellions; there were repeated wars with the Welsh; war with Scotland; war with the Count of Maine. Then ruffianly extortion seldom pays.

<sup>1</sup> Chron. E, A. D. 1101.

<sup>2</sup> See Foundations, II. 192, and authorities there given.

<sup>3</sup> So Liebermann.

<sup>4</sup> See Foundations, II. 205.

<sup>5</sup> *Leges Ed. Conf.* c. 11 (ed. Schmidt). See also Chron. E (the Peterborough Chronicle), *in anno*.

In a community exposed to pillage money finds wings and disappears. A signal instance of treasure, buried evidently in the time of Rufus, is offered by the hoard of some 12,000 penny pieces, the latest of them struck in William's time, found buried in a leaden box at Beaworth in Hampshire in 1833.<sup>1</sup> Many of the coins had never been in circulation. They must have been hidden to keep them from the hands of the tax-gatherer.

On the above facts no very safe estimate can be offered of the average revenue of William Rufus. It was doubtless greater than that of his father, but perhaps not as great as that of his brother, a much cleverer and more business-like man. His income we shall estimate at something less than £28,000; that of Rufus we may put at £25,000.

<sup>1</sup> Hawkins, sup. 168; Ruding, sup. I. 151. Some of the pennies were ready cut for halfpence and farthings.

# SYSTEM OF THE EXCHEQUER

## *DIALOGUS DE SCACCARIO*

### CHAPTER I

#### THE ABACUS ; TALLIES ; LOWER CHAMBER

WITH the reign of the first Henry we reach to a certain extent firm ground, and at last get a return of the King's revenue, official though incomplete. To this period belongs the establishment of the system of the Royal Exchequer upon the footing that has obtained more or less ever since. No sketch of the revenues of our Kings could be complete without a survey of the system under which the money was paid in, receipts for it given, and the Revenue accounts compiled. It seems natural to take this review before entering on the details of successive years. Ample materials for this review are fortunately available. There can be no doubt that the definite organization of the Anglo-Norman Exchequer was the work of the celebrated Bishop Roger of Salisbury. Like Flambard he was a Norman priest of humble origin ; but his honesty and capacity, and his expeditious mode of celebrating Mass, recommended him to Henry in Normandy. At his accession to the Crown Roger became Chancellor, and in 1107 he was consecrated to Sarum. About the same time he became Chief Justiciar, the King's representative in all things, and second to him and him alone in prerogatives and influence.<sup>1</sup>

The Conqueror and Rufus in connexion with their financial affairs spoke of their *Fiscus* or *Thesaurus*, the office, presumably established in London, was popularly known as *Ad Tallias* <sup>2</sup> or the ' Tally-House ', from the important part played by wooden tallies in the transaction of business. Now under Henry I we hear of the *Scaccarium* or Exchequer. The introduction of the

<sup>1</sup> See Bishop Stubbs, *Const. Hist.* I. 377, 378.

<sup>2</sup> *Dialogus de Scaccario*, 60 (ed. Hughes, Crump, and Johnson : Oxford, 1902).

new name may be taken to mark the definite establishment of a new system. For a full view of the constitution, *personnel*, and practice of the Exchequer, as established by Bishop Roger, we are indebted to the celebrated work of Richard fitz Nigel or fitz Neal, son of Nigel Bishop of Ely, who, again, was nephew, probably son, of Roger of Salisbury. Richard was born before the year 1133. In 1143, and again in 1145, he was prisoner in Stephen's hands, as hostage for his father. There are grounds for believing that his father bought him the office of Treasurer in 1158; he was clearly in possession of the office in 1160; valuable further Church preferment was also conferred upon him, while finally on the 31st December 1189 he was consecrated Bishop of London. But he held the Treasury Seal till his death in 1198.<sup>1</sup> The *Dialogus* was evidently penned in 1177 or 1178.<sup>2</sup> Brought up in the highest official circles, no man could be better qualified to write of the Exchequer, its actual constitution and practice, than Richard; and on such points he may be fully trusted, subject always to the paramount authority of the Rolls themselves. But in the matter of history and antiquities he is weak, and not a few grievous mistakes on such subjects have been detected in his work. Moreover, he is pompous and obscure, and not always consistent in his statements, but the work, for the period, is undoubtedly a great performance.

The question whether the Exchequer of his time represents the Exchequer of the time of Henry I is not open to doubt. Richard nowhere claims credit for any reforms or modifications of practice introduced by himself. He simply represents himself as the depository of the "*scientia*", as he calls it, the traditions and lore of the office, embodying the teaching and practice of the great Bishop, to whom he ascribes everything; and in fact many things to which Roger could lay no claim. As evidence carrying back the system of the *Dialogus* to the time of Henry I we have an interesting fragment embedded in a later compilation, styled "*constitutio Domus Regis*", giving an account of the household maintained by Henry I in the early part of his reign.

<sup>1</sup> See the critical edition of the *Dialogus* by Messrs. Hughes, Crump, and Johnson; Introduction, 9, 10; Liebermann, Einleitung in den *Dialogus* (1875).

<sup>2</sup> Lane Poole, *Exchequer in the Twelfth Century*, 8.

It tells us of a Chancellor filling the position of the Chancellor of the *Dialogus*; and, under him, of a *Magister Scriptorii*, evidently corresponding more or less to the official who later appears as *Clericus qui Scriptorio preest*.<sup>1</sup>

But the question is best answered by the one surviving Roll of Henry I, which, like all the other Pipe Rolls, in composition and arrangement of items, corresponds exactly with the *Magnus Rotulus* as described by Richard.<sup>2</sup>

The *Scaccarium* or Exchequer took its name from the notable introduction of the *abacus* or "chequer" board, with ruled lines, for counting out sums of money, in substitution for the older device of lines drawn on a sanded floor, the end of both being to get over the difficulty caused by the absence of zero from the Roman system of notation. When Arabic numerals with the zero were introduced the *abacus* disappeared.<sup>3</sup> The name *scaccarium* was promptly extended to the whole office of the King's revenue, and the building where it was established. The actual *scaccarium* in use was a table ten feet long by five feet wide, with a raised rim like that of a billiard table, to keep the counters<sup>4</sup> with which the sums of money were marked from falling off. On the table was laid a black cloth with white lines ruled about a foot apart. The cloth was said to resemble a chess-board, from which fact it would appear that it had transverse lines as well as vertical lines, like the "chequer" signs on old Inns.<sup>5</sup> The vertical lines did the notation, the cross-lines coming in for the purpose of addition or subtraction. Seven columns were shown. The first, beginning from the right, represented pence; the second, shillings; the third, pounds, that is to say from £1 to £19; the fourth column represented scores of pounds; the fifth,

<sup>1</sup> *Constitutio Domus Regis*, Red Book Excheq. III. 807, 811 (H. Hall, Rolls Series).

<sup>2</sup> A clear reference to an early Pipe Roll may be found in the Cotton MS. Faustina A, III. 72, a Westminster cartulary, printed by Dr. Armitage Robinson in his *Life of Gilbert Crispin*, and dated by him 1110-1116, where the following passage occurs, "*Henricus Rex Anglie Ricardo de Monte salutem. Fac habere Abbati Westm. X solidas de eleemosyna mea sicut est in rotulis meis*", cited Lane Poole, Excheq. 37. The fragment was evidently one of the standing *Eleemosynae* of which we shall hear.

<sup>3</sup> See Lane Poole, Exchequer, 43; and for suggestions as to the time of the introduction of the *abacus* into England, p. 56.

<sup>4</sup> "Acervi numerales."

<sup>5</sup> *Dialogus*, 60.



hundreds ; the sixth, thousands ; the seventh, tens of thousands, a sum seldom reached. A counter in each column denoted a corresponding sum of money ; but a silver halfpenny might stand for ten shillings, and a gold halfpenny for ten pounds.<sup>1</sup> But these last must have been mere counters, not current coins at all, because there was no gold currency in use. But, as we understand the matter, the *abacus* would only come into use at the great yearly audit at Michaelmas, and perhaps at Easter. On the Pipe Rolls, when the audit was held, not at Westminster but somewhere else, as was sometimes the case, we have payments entered for the cloth, table, and other requisites, but we never have two such entries in one year.

For the daily business of the office, the money paid in was entered on a roll apparently known as the *Rotulus Receptarum*, or *Breve Receptae Thesauri*,<sup>2</sup> one of which has come down to us, and has been printed.<sup>3</sup> To the persons paying in money receipts were given by tallies. The tally was a little stick of hard wood, neatly polished, and split into two equal and identical halves, with closely fitting edges, and a hole at the end of each half for filing. The sum paid in was marked by little cuts or notches, varying in length, or depth, or angle of inclination to the major axis of the stick. One cut would represent £1,000, and another £100, and so on down to shillings and pence ; money paid in in gold would have distinctive notches. The tally would also have endorsed on it in writing the sum received, by whom paid, and on what account. The tally, thus, with its two halves, corresponded to a modern receipt form with its counterfoil. The length of the tally varied with the amount of the sum paid in. Our author describes an ordinary tally as being about six inches long ;<sup>4</sup> a tally for a few shillings might measure a couple of inches. Tallies of later dates, when bigger sums of money were dealt in, run to a yard and more in length.<sup>5</sup>

<sup>1</sup> *Dial.* 75. See also the diagram below.

<sup>2</sup> See the references, Pipe Roll 29 Henry II, 59 ; and 31 Henry II, 79.

<sup>3</sup> London School of Economics, 1899, with an Introduction by Mr. Hubert Hall, "*Clericus thesaurarii cum fuerit numerata pecunia . . . deputat scripto quantum vel a quo vel ob quam causam receperit.*" *Dial.* 62.

<sup>4</sup> *Dial.* 74, 75.

<sup>5</sup> See facsimiles of tallies preserved at the Record Office given by Mr. H. Hall, Pipe Roll Series No. 3 p. 70.

It must be pointed out that tallies, at least the ordinary tallies, at the Exchequer were only given for payments on account. In the ordinary course of things the accountant who settled in full got no receipt. His quittance was simply the entry on the Pipe Roll, "*In thesauro liberavit et quietus est*". But a full receipt could be given by a special *Memoranda* or 'Combustion' tally, of which hereafter. The man who only settled in part got his half of the tally, and went away with it, the other half remaining at the Exchequer. When the man settled finally he gave up his half of the tally, to be stored for good at the Exchequer with the other half, because the rule was that so long as a man retained his half of the tally he was liable to be called to account.<sup>1</sup>

On the question, not very material, as to which half should be considered the principal tally, and which the counter-tally, the *Dialogus* is not consistent in its statements. At p. 69, speaking of the functions of the Chamberlain's Clerk, of whom anon, he describes him as sitting at the Exchequer board "*cum recantis*" (receipts) "*hoc est cum contrataleis de recepta*", where of course what he produced would be the office tallies. At p. 73 he tells of the same official, at the same board, proceeding to notch his tally "*apposita eidem contratalea vicecomitis*", the counter-tally now being the sheriff's part; while again at p. 87 we have the "*talea vicecomitis*". On this balance of evidence and on common sense the debtor's tally should be the primary tally or receipt. It appears that his half was called the *stipes* or stock, and the Exchequer half the *folium* or counterfoil. "This terminology has left a permanent imprint on our language. If you lent money to the Bank of England down to a hundred years ago, tallies were cut for the amount; the Bank kept the foil and you received the stock—Bank Stock."<sup>2</sup> The tally in course of time came to serve the purpose of a cheque or draft. The first recorded instance is found in the 35th year of Edward I, as given by Madox, II. 260. The Londoners had 1,000 marks to pay on All Saints' Day on account of an Aid for knighting the King's son. The sum is assigned to William Trente the *Pincerna Regis* or Chief Butler by a tally drawn, so to speak, on the citizens (*sub nomine civium*), in favour of Trente, for the requirements of his office. An explanatory writ is appended, showing that the

<sup>1</sup> *Dial.*

<sup>2</sup> Lane Poole, Exchequer, 89.

proceeding was a novel one; but it was fully established 1320-1350. The ordinary receipt tally was endorsed "*Pro*" the creditor; the tally by way of cheque or draft was endorsed "*Contra*" the debtor. The assignee of a tally of this sort, to use the language of modern banking, on receiving payment gave up his half of the tally to the party paying him, who then took it to the Exchequer to be laid with the other half, and have his liability entered as satisfied "*per restitutionem talliae*".<sup>1</sup>

The commentators and editors of the *Dialogus* have it that the tally was split after the notches were cut, and split into unequal halves.<sup>2</sup> Surely to split a small piece of wood without doing injustice to minute notches, representing sums of money, would be a most delicate and almost impossible task. But we have express mention made of notches being cut or effaced with the two halves of the tally put together. "*Serviens camerariorum . . . secundum quod ratio computationis exegerit mutat vel minuit vel addit in talea, apposita eidem contratalia vicecomitis.*"<sup>3</sup> A personal recollection of the tally system in daily operation may be appealed to as decisive of the question. Within the present writer's memory, say between the years 1833 and 1840, the baker's pass-books in Paris were kept by tallies. The baker's man in the morning brought with his basket a bundle of tallies on a ring. The maid produced her counter-tally, and the number of rolls or loaves taken was marked with a file on tally and counter-tally laid together, just as described in the *Dialogus*.

The baker's tally would have the customer's name and address written on it.

As a Government Board or Office the Exchequer had two branches or Chambers, an Upper and a Lower Exchequer established in the same premises, the one above the other, and provided with several staffs. The Upper Chamber was known as the *Magnum Scaccarium* or Great Exchequer, the Lower Chamber as the *Recepta Scaccarii* or Receipt of the Exchequer.

<sup>1</sup> See Mr. Hilary Jenkinson's article in *Archaeologia*, LXII. 368. Tallies were in use among private persons as well as at the Exchequer. *Ib.*

<sup>2</sup> *Dial.*, Introduction, 42; Lane Poole, 88, 89; Bishop Stubbs, *Const. Hist.* I. 410.

<sup>3</sup> *Dial.* 73. I cannot accept Lane Poole's view (*sup.*) that one half of the tally was bigger than the other. Not so in modern use.

The habitation of the two was doubtless at Westminster within the precincts of the Palace. Our author tells us in one place that he was writing on the banks of the Thames.<sup>1</sup> But we know that at times, for special reasons, the Exchequer could be, and was, removed to other places, as when the King was detained at a distance by wars with the Welsh or Scots.

Adjoining the Upper Chamber we hear of a private chamber, *thalamus secretorum*,<sup>2</sup> to which the Barons might adjourn if any question arose that they would rather not discuss in public. It seems impossible not to see in this the origin of the Court of Exchequer Chamber, till recently the Court of Appeal from the decisions of the Courts of King's Bench and Common Pleas. The Exchequer, with its two Chambers, was a High Court of Justice, an Audit Office, a Cashier's Office, and a Paymaster's Office, all in one. As a Court of Justice the Great Exchequer or Upper Chamber had jurisdiction over all matters connected with the revenue, while to it fell the duty of auditing the accounts of the sheriffs and others indebted to the Crown. The accounts in chief of the Treasurer, as rendered in the Pipe Rolls and Pell Rolls in the ordinary course of things, were not subject to any audit, nor was any balance ever struck between the receipts and the expenditure of the year.<sup>3</sup>

The Lower Chamber or Receipt of the Exchequer (*Recepta Scaccarii*) was the office where, from day to day, all money was paid in and paid out, and where the Exchequer Seal, a duplicate of the Great Seal, for sealing writs and summonses of the Exchequer, was kept. The Receipt of the Exchequer was also the place of deposit for all official Rolls, records, writs, tallies, and documents. In a chest among other things was kept the great Assessment Roll, the inexorable Book from which there was no appeal, the 'Day of Judgment Book' as the people called it, "*Domesdei*".<sup>4</sup>

With respect to the Exchequer Seal, our author clearly distinguishes between the Exchequer Seal, the copy or duplicate

<sup>1</sup> *Dial.* 69. "The Exchequer buildings at Westminster were in need of repair when Henry III came to the throne; see Roll of his second year, p. 4." Lane Poole, 133.

<sup>2</sup> *Dial.* 92.

<sup>3</sup> See Pell Issue and Receipt Rolls, *passim*. Cf. *Dial.* 61.

<sup>4</sup> *Hic liber ab indigenis Domesdei nuncupatur id est dies judicii per metaphoram.* *Dial.* 61-65, 107, 108.



of the Great Seal, that never left the Exchequer, and the "*sigillum deambulatorium curie Regis*", the Great Seal proper, which followed the movements of the Court.<sup>1</sup> It is obvious that the Chancellor could not be called out to seal every writ or summons of the Exchequer. A duplicate Seal was therefore a necessity. Being a facsimile of the Great Seal it could in case of need be used to seal Chancery Writs.<sup>2</sup> It was probably smaller than the Great Seal, and apparently the first known departmental seal in any state of western Europe.<sup>3</sup> It will be noted that the Chancellor was *ex officio* "Keeper of the Seal". With respect to the Exchequer Seal he left the custody of it to deputies, the Great Seal was kept by himself.

Of the Upper Exchequer, as the King's Court for matters of finance, all the highest officers of state were *ex officio* members, and as such they and the higher officials would be styled "Barons of the Exchequer"; just as their successors in office at the present day are spoken of as "My Lords of the Treasury". The King might, and sometimes did, attend a sitting of the Exchequer, as he sometimes attended other legal proceedings of the *Curia Regis*. Our writer is mainly concerned with the staff and proceedings of the Upper Chamber, and their doings at the two great sittings at Easter and Michaelmas. Of the intermediate sittings of either Chamber we scarcely hear anything.<sup>4</sup> The Pipe Rolls, the Revenue Accounts of the time, give no dates, simply entering the payments under their respective counties as if all made at the same time, so that we get no clue from them as to the number of sittings held in the year, and the *Rotulus Receptae* to which we have referred is equally destitute of dates. For a fuller view of the working of the Exchequer we must turn to the later Pell Rolls, and the system revealed by them, the main features of which may fairly be carried back to the times of the *Dialogus*, though the Rolls themselves do not begin till the reign of Henry III. From these invaluable records

<sup>1</sup> "*Custodia sigilli regii quod est in thesauro sed inde non resedit*", p. 71. Again speaking of the Exchequer Seal he says, "*Expressam habet imaginem et inscriptionem cum deambulatorio curiæ sigillo*", 107.

<sup>2</sup> *Id.* Notes, 201.

<sup>3</sup> T. F. Tout, Chapters of Administrative History, I. 145.

<sup>4</sup> See, however, p. 115 for a clear reference to business at other times than Easter or Michaelmas.



we learn that business at the Exchequer went on for most of the year. Taking the printed Issue Roll 44 Edward III<sup>1</sup> (Michaelmas 1369-1370) we find sittings held from the 1st October to the 4th December, when a *Medium Tempus*, or vacation, comes in, with an odd day on the 24th December, to make provision for Christmas Day. On the 14th January 1370 sittings are resumed, continuing to the 23rd February, when another *Medium Tempus* intervenes. On the 8th March business is resumed, and on the 8th April the term, Michaelmas term, ends. Easter that year fell on the 14th April, and on Monday, 22nd of the month, Easter term began, with sittings going on to the 31st May, when Trinity holidays came on. On the 10th June the Exchequer resumed, continuing to the 18th July, when another *Medium Tempus* gave four days' rest; after which time sittings were held irregularly at intervals till the 19th August, and there the term and year ended.

Of the Pells we have a double series, the one of Receipt Rolls, and the other of Issue Rolls; and between them they show a constant paying in and paying out of money, the money going out pretty well as fast as it comes in. The Pipe Rolls are mainly concerned with receiving; the only payments recorded are those made by sheriffs or other accountants, either under standing warrants, or under special instructions from the King. Of payments made direct from the Exchequer, we never hear in the Pipe Rolls.<sup>2</sup>

Entering the Exchequer premises we find the following staff

<sup>1</sup> F. Devon, 1835. The editor, however, misarranges the terms, placing the Easter term always before the Michaelmas term instead of after it as it should be placed. The Michaelmas term of Roll 44, Ed. III, belongs to the year 1369 and the Easter term to the year 1370. So with his whole list of Pell Rolls, p. xxxv. With the fixed arrangement in the half-yearly Pell Rolls of Michaelmas term to begin with, and Easter term to follow, we get curious results. If the reign began during the currency of a Michaelmas term, then all went smoothly, first came Michaelmas term and then in due order came Easter term. But if the reign began during the currency of an Easter term, there would be two Easter terms in the first year; namely, first the irregular Easter before the proper beginning of the year at Michaelmas, and then the regular Easter term following the Michaelmas term—two Easters in the first year of the reign and both labelled as "Easter 1". See the Table of the Pell Rolls of Richard II, Genesis of Lancaster, II. 389.

<sup>2</sup> On two or three occasions under Henry II we hear incidentally that money had been drawn from the Treasury to meet the expenditure on the fortifications at Dover, which exceeded all local resources.

established in the Lower Chamber, or Receipt of the Exchequer, namely, two Deputy Chamberlains (*militēs*) ; a "*Miles Argentarius*" or Master of the Assay ; a *Fusor* or Assayer ;<sup>1</sup> a Clerk, the Treasurer's representative, and known as his Clerk ; four Tellers (*Computatores*) ; an Usher (*Hostiarius*) and a Watchman (*Vigil*) ;<sup>2</sup> to these we may add the Clerk of the Chamberlains (Deputy Chamberlains ?) who cuts the tallies, a man whose business clearly lay quite as much in the Lower as in the Upper Chamber, but who is introduced to us as a member of the Upper Chamber.<sup>3</sup>

The Deputy Chamberlains, often spoke of as Chamberlains,<sup>4</sup> were respectively appointed by the Chamberlains whom they represented ; they drew 8*d.* a day, the sum that a mounted man-at-arms would receive for service in the field. The offices of the *Argentarius* and the *Fusor* were hereditary ; sergeanties held by knights, and in connexion with land.<sup>5</sup> But in addition to the emoluments derived from the lands, the *Argentarius* drew 12*d.* a day, and the *Fusor* 5*d.* a day, besides 2*d.* for every actual assay performed. The Tellers had 3*d.* a day in London, but only twopence if employed at Winchester, a clear survival from older days. The Treasurer's Clerk had 5*d.* a day.<sup>6</sup> The Usher had no daily wage or 'livery' (*liberatio*) ; a singular circumstance, as the writer admits, but one for which he could offer no explanation. But the man had a fee of twopence for every writ of issue ;<sup>7</sup> he provided boxes and bags for holding money, parchment for rolls (*rotulos*), wood for the tallies, also knives and straps and small necessities ; for each 'forel' (leather bag) he received twopence, and for the wood for the tallies five shillings once a year at Michaelmas. The provision of ink for the two Chambers was claimed by ancient custom by the Sacrist of

<sup>1</sup> " In modern times he was the Surveyor of the Melting and Clerk of the Irons ", Lane Poole, Exchequer, 73.

<sup>2</sup> *Dial.* 62, 63, 64.

<sup>3</sup> *Id.* 73.

<sup>4</sup> "*Camerarii dicuntur quia pro camerariis ministrant.*" See the printed Issue Roll 44 Ed. III. 468, where the 'Chamberlains' draw their 8*d.* a day ; also Poole, 81.

<sup>5</sup> Madox, Excheq. I. 289.

<sup>6</sup> *Dial.* 61, 62, 65, 66.

<sup>7</sup> "*De singulis brevibus exitus duos habet denarios,*" *Dial.* 65, 66, 86. On the Issue Roll 44 Ed. III we find two Ushers of the Receipt, and each has a penny-halfpenny a day besides the money for the forels, &c. 208 469 (Devon).

Westminster, for which he received two shillings at each audit.<sup>1</sup> The Watchman had a penny a day, and a halfpenny for light at night.

The Treasurer's Clerk might be said, in modern language, to "keep the books", as he entered all money paid in; and he endorsed the tallies given by the Deputy Chamberlain to persons paying in money. He had charge of the Exchequer Seal and he sealed the writs.<sup>2</sup>

The Deputy Chamberlain and the Chamberlain's Clerk besides the duty of giving tallies for money paid in had also the business of paying out money, duly sanctioned, whether by Royal writ or by direction of the Barons. They could even disburse without warrant for small necessities, and the wages of the servants of the Lower Chamber.

If treasure had to be transmitted to any quarter, it went under their charge, or the charge of some of them.<sup>3</sup> On them rested the responsibility for all treasure and valuables deposited in the Exchequer, and the Exchequer Seal. The treasure-chests (*archae*) had two locks, each with different keys, one key being kept by one Deputy Chamberlain, and the other key by the other Deputy. Each chest also had a fixed leather strap (*corrigia*) round it: when the chest had been locked by the Deputy Chamberlains the strap was sealed by the Treasurer's Clerk, so that the chest could not be opened without the concurrence of all three.

In a word we are told that on these men fell the whole real work of the Lower Exchequer.<sup>4</sup>

But whether with regard to the receiving or the paying out of the King's money, stringent rules were laid down for the action of the officials.

With respect to the coin to be accepted as legal tender different requirements were said to have been in force at times in view of the prevalence of debased and clipped coin. On this point the *Dialogus* frankly admits a prevalent lack of scruple: "*In moneta generaliter peccatur ab omnibus*".<sup>5</sup> Four different modes of

<sup>1</sup> *Dial.* 65. The editors discarding "*Westmonasteriensis*" read "*Wintonensis*"; but see Lane Poole, 79.

<sup>2</sup> *Id.* 61, 62.

<sup>3</sup> *Id.* 63, 64. On the Pipe Rolls when treasure is moved, it always goes under the charge of 'Chamberlains', i. e. Deputy Chamberlains.

<sup>4</sup> *Id.* 62, 63.

<sup>5</sup> *Id.* 88.

payment are mentioned as having been, if not still being, in force.

I. Payment by simple tale (*numero*), all current coin being taken.

II. Payment *Ad scalam*, by rate, current coin being taken under a deduction of sixpence in the £1.

III. Payment *Ad pondus* [or *pensum*] full weight of 240 pennies to the £1 being required (*ad pondus de viginti in ora* (twenty pence to the ounce)).

IV. Payment in white or blanchéd money (*albis denariis, ad arsuram*), i. e. in coins tested by actual assay to ensure a certain standard.<sup>1</sup>

Of the history of these modes of payment we are told that after payment in kind went out of use, and money payment became general, it was found that through debasement of the currency payment in current coin was insufficient, and that, in consequence, the sheriffs were subjected to an extra charge of 6*d.* in the £1, or payment *ad scalam*.<sup>2</sup> Later again this surcharge was found insufficient, and the sheriffs were required to pay by weight, *ad pensum*. Finally the great Bishop, Roger of Salisbury, when he came to preside at the Treasury, found it necessary to insist on blanchéd payments.<sup>3</sup> Whatever may be thought of the rest of this account the adscription to Bishop Roger of blanching is utterly wrong, blanching having undoubtedly come down from Anglo-Saxon times. In fact, on the surviving Pipe Roll of Henry I we find payments (a) "*numero*", (b) "*ad pensum*", and (c) in blanchéd silver; but the latter two are treated as convertible terms, that is to say, that payments that had to be blanchéd had also to be of full weight; the sheriff who has paid in so much "*bl*" settles the balance "*pens*".<sup>4</sup> Again under Henry I the diligent search of Mr. Round has traced a case of payment *ad scalam*; an extra 6*d.* in the £1 is charged on the grant of an annuity of "*XXV libras ad scalam*" made by the King.<sup>5</sup> So far then our writer is borne out, but by the time of Henry II both payment *ad scalam* and payment *ad*

<sup>1</sup> *Dial.* Introduction, 34, and text 90.

<sup>2</sup> "*Addentes ut ad scalam solveret, hoc est præter quamlibet numeratam libram vi denarios*"; *Dial.* 90, 91,

<sup>3</sup> *Ibid.*

<sup>4</sup> Pipe Roll 31 Henry I, 90.

<sup>5</sup> See the matter worked out, Round, *Commune*, 85.



*pensum* have disappeared, and only payments *numero* and in blanced silver appear. In one case Henry II attempted to impose on the farmers of the Honour of Wallingford a rent or *firma* of £40 '*arsatæ et pensatæ*', both blanced and of full weight. But the Barons refused to take the account, insisting that accounts in that form were not taken at the Exchequer (*quia hoc modo compoti non suscipiebantur*). The matter hung on for fourteen years, but in the end the King had to give way, and content himself with £40 blanced but not *ad pensum*.<sup>1</sup> The strength of official routine here disclosed is very remarkable.

For the paying in of money at the Receipt of the Exchequer, in the case of an account not required to be settled in blanced coin, we are told that the accounting party hands his money to a Teller. The tale being found correct, the official proceeds to jumble up the heap of pennies, so as to allow of a fair sample being taken. A Deputy Chamberlain then weighs out a pound of the money by the standard Exchequer weight, 240 pennies going to the £1. If the weight drew more than 246 pennies, then we are told that the whole was rejected.<sup>2</sup> What would ensue our author does not say. Presumably the accounting party would have to go away, and bring better money. The money tendered having been found correct, the Treasurer's Clerk proceeds to enter the payment (*deputat scripto*), presumably on the *Breve* or *Rotulus de Receipta* of which we have already spoken, while the Deputy Chamberlain hands the debtor his tally or receipt (*recantum*).<sup>3</sup> The counter tally remains at the Exchequer, under the charge of the Marshal, one of the officers of the Upper Chamber.<sup>4</sup> But before the accounting party can be dismissed in peace he has to take in public a bodily oath, administered by the Marshal, that he has rendered a full and true account.<sup>5</sup>

With respect to the *Breve* or *Rotulus de Receipta* it must have been something between a Pipe Roll and one of the later Pell Receipt Rolls. It resembles the Pipe Rolls in having the entries

<sup>1</sup> Pipe Roll 24 H. II, 99; and 29 H. II, 139.

<sup>2</sup> *Dial.* 62, 64.

<sup>3</sup> *Id.* 62, 64.

<sup>4</sup> *Id.* 72, 73.

<sup>5</sup> "*Fidem in publico quod legitimum compotum secundum conscientiam suam fecerit*," *ib.* "*Sacramento corporaliter prestito*," 122.



arranged by counties, without dates ; it resembles the Pell Receipt Rolls in its greater detail, and in giving marginal totals ; while the membranes, apparently, were sewn consecutively, like the Chancery Rolls. But it is evident from the digested state in which the matter is presented to us, that even this Roll must have been compiled from earlier notes.

Payment *numero*, in current coin, was thus a simple affair ; and the bulk of all payments entered on the Pipe Rolls were paid in current coin. But with regard to the ' farms ' or rents payable by sheriffs and burghers for the Crown property demised to them, payment had mostly to be made in ' blanched ' money, "*in albis denariis*" or "*alba firma*", to ensure a certain purity of silver, then a further series of elaborate proceedings had to be faced, introducing the *Miles Argentarius* and the *Fusor*.

The *Miles* takes pennies to the amount of forty-four shillings from a heap that has been carefully jumbled up, in the manner already described, and puts them into a bag (*loculum*), which the sheriff, or other accounting party, whose the money is, seals with his seal. The bag is then carried up to the Upper Chamber, where the *Miles* proceeds to jumble up the forty-four shillings afresh ; and then weighs out a pound of them in the presence of the President. (*Mittit in vasculum trutinæ libram ponderis, in alterum vero de denariis quot oportuerit, ut ex numero constare possit si legitimi ponderis sint.*<sup>1</sup>) That should mean ' to see if the pennies are of the proper weight, just 240 to the pound, and no more '. But in the very next words our writer goes on, ' But, whatever their weight may be found to be, he puts a pound, that is to say twenty shillings, into a cup to be tested ' (*Cujuscunque vero ponderis inventi fuerint, seorsum mittit in cyphum libram unam, hoc est XX solidos ex quibus examen fiat*).

The Editors of the *Dialogus* read the whole account as meaning a pound by tale, treating the counting to see if there were only 240, and no more pennies in the pound, as superfluous.<sup>2</sup> But the reading of the *Dialogus* here is of no importance, as we have seen that as a matter of fact full weight was not exigible.

<sup>1</sup> *Dial.* 64, 85.

<sup>2</sup> *Dial.* Introduction, 28, above.

The requisite pound of silver having been put into the cup, the remaining twenty-four shillings are put aside in a bag, and left under the charge of the Barons. The President then names certain persons, sheriffs or others, to accompany the *Miles* and the accounting sheriff to the place of assay, as witnesses, and in a manner umpires; the whole party then march off, presumably to the vaulted chamber at Westminster, where the time-honoured trials of the Pyx have been held. There they find the *Fusor* ready with his capel, fire, and other requisites. The first thing that he does is himself to count the pennies, evidently to see that his count tallies with that of the *Miles*.

With respect to the actual assay it appears that there was a tacit understanding that the process was not to be carried too far, and that a fair mean as between King and sheriff was to be observed; and so we hear of the appointment of the umpires, to see that neither too great heat was applied, nor too much lead introduced.<sup>1</sup> The firing over, the resulting ball or "button" of silver is solemnly carried back by the *Miles* and the rest of the procession to the Upper Chamber, and weighed in the presence of the Barons. The number of extra pennies required to make up the pound weight is the measure of the deficiency of the tendered money, or 'Combustion' as it was called.

The assay having been accepted as regular and fair, the result is given out, and the Combustion, or extra rate per £1 to be paid by the sheriff for the lack of purity in his money, is marked on the button, as e. g. 'Yorkshire, burnt at so many pence'.<sup>2</sup>

The tested lump itself is eventually sent to the Treasury to be kept for the King's use, for making plate or the like.

But of the forty-four shillings weighed out for the testing only twenty have been disposed of so far. Two pence go for the assayer's fee; the rest of the money is kept to meet the case of a second assay, as it appears that the validity of an assay might be challenged, for over-heating, or miscarriage of some sort.

<sup>1</sup> "*Ignis scilicet ex estuatione vel plumbi infusione.*" He seems to speak as if there should be no lead, but that is only his clumsy way of expressing himself.

<sup>2</sup> "*Inscribitur . . . creta his verbis Evoorwiescira: Libra arsit tot et tot denariis,*" *Dial.* 85, 86. Chalk would not make a very lasting mark on a ball of silver.

An instance is cited from Madox where a second assay having been demanded and allowed, a third was demanded but refused.<sup>1</sup>

The sheriff has paid in his money, whether by instalments or all at once, matters not; and in due course of things he has received a tally. But the amount payable in blanchéd silver on being tested has been found wanting; the tally has given him credit for too much, and must be cut down; and it is cut down, the deficiency being deducted from it, as in the case already cited from Madox. Of course the sheriff proceeds to pay up the difference, the Combustion. This is entered on a special Combustion tally, the "*Memoranda*" tally, which is attached to the original ordinary tally, making with it a receipt in full. "*Memoranda vero (scilicet talea), quæ de firma blanca semper fieri solet, paullo brevior est, quia facto essaio per quod firma dealbatur, prima illa (scilicet talea) confringitur et, apposita sibi talea combustionis taleæ longitudinem tunc primo meretur.*"<sup>2</sup> But the extraordinary thing is that we are told that the extra payment vouched for by the Memoranda tally, or tally of Combustion, is not credited to the sheriff, nor accounted for on the Pipe Roll, but left as petty cash in the hands of the Treasurer and Chamberlains. "*Licet autem a talea vicecomitis combustio detrahatur, mittitur tamen seorsum in taleam alteram breviorē ut de summa ejus thesaurarius et camerarii respondeant.*"<sup>3</sup> So again, "*Firma . . . facta detractōne per combustionem, sicut supradictum est, dealbatur et, appensa sibi taleola combustionis, quæ tamen vicecomiti non computatur.*"<sup>4</sup>

The statements of the *Dialogus* on this troublesome matter must be supplemented by comparison with the testimony of the Rolls, that is to say, of the Pipe Rolls, and of the so-called Chancellor's Rolls, duplicates of the Pipe Rolls, of which anon. From the Pipe Rolls we learn that sheriffs sometimes, as if to save the trouble of the assay, compounded with the Barons for the Combustion, at a certain rate, which, with the *firma* itself, is entered on the Pipe Roll. The entry would run: "A. renders

<sup>1</sup> Madox, Exchequer, I. 283 from *Memoranda*, Roll 14 Henry III; cited, *Dialogus*, notes, 185. One is inclined to suggest that the assayer's fee was not two pence but two shillings; that would tally better with the forty-four shillings. But the assayer would not be paid for a second assay if the first one failed.

<sup>2</sup> *Dial.* 74.

<sup>3</sup> *Id.* 87.

<sup>4</sup> *Id.* 159.

account of £100 'bi' of the farm of X. Paid in £105 allowed to him as equal to £100 bl." Sixpence to a shilling in the £1 are the common rates charged. By this payment of Combustion, whether to the Treasurer, or to the 'Issues of the Exchequer', the accounts on the Pipe Rolls are reduced to payments in current coin—*numero*. But to get the full amount of the revenue the Combustions paid in to the 'Issues of the Exchequer' must be added. For the amount of these we are dependent on schedules attached to the Chancellor's Rolls, but the sums are not very important. With respect to the amount lost in the firing the schedule attached to the Chancellor's Roll 19 Henry II "shows that the number of pence in the £1 lost varied from 4d. to 19d. . . . The average is a little over 12 pence".<sup>1</sup>

Money having been paid in our scrupulous interlocutor thinks it right to tell us what becomes of it. The Treasurer's Clerk bestows the coin either in bags under seal, or in receptacles known at the Record Office as "skippets" and "forels" (*foruli*). Skippets were boxes of turned wood (*vasa lignea*) holding exactly £5 of pennies, and the forels were leather cases holding exactly £100 of the same.<sup>2</sup> Blanched or tested coin from the 'farms' of the counties (*denarios de firma*) would be stowed apart and marked. Then the Deputy Chamberlains had the duty of checking the Clerk's proceedings by seeing that the skippets and forels were exactly filled, and deposited in safe chests (*archæ*). Each chest had two locks with different keys, as already mentioned.

Turning to the Issue of money, at the Exchequer, as a Paymaster's office, we find the action of the officials if anything more strictly regulated there than in the matter of receiving. They can only pay out money or remit a debt under one or other of the appropriate Royal Writs of *Compute*, *Liberate*, or *Perdono*. No one but the Chief Justiciar could issue a writ directing money to be paid out of the Treasury without the King's warrant, and it was doubtful if even he could do so except during the King's absence abroad.<sup>3</sup> FitzNeal gives

<sup>1</sup> G. I. Turner, Transactions R. Historical Society, N.S., XII. 141.

<sup>2</sup> *Dial.* 60, 64. See also Notes, 167; Lane Poole, 74.

<sup>3</sup> See the *Dialogus*, 68, 82, comparing 83, where the writer modifies his previous statement.



forms of the three writs. The "*Liberate*" runs: "*H. rex et cetera N thesaurario et illi et illi camerariis salutem. Liberate de thesauro meo illi vel illi hanc vel hanc summum. Testibus his apud N ad scaccarium.*" The operative words of other writs would run: "*Compute illi vel illi hanc summam quam liberavit ad hoc vel hoc negotium meum*"; or "*Perdono illi*"; or again, "*Clamo quietum hunc vel hunc de hoc vel illo Testibus hiis ad scaccarium.*"<sup>1</sup>

But there was no stereotyped form of words, as may be seen by comparing actual writs extracted from the Rolls by Madox.<sup>2</sup> The above forms are given as tested "*ad scaccarium*"; but writs might also be tested "*in curia*" for Household expenditure. Our author represents the signatures of two witnesses as being necessary to a writ; but this does not appear to be borne out by the evidence of the Rolls. All these writs were made out in duplicate. The counter writs of *Liberate*, involving payment of money, were kept by the Treasurer's Clerk, as vouchers for the protection of the Treasurer and Chamberlains. The counter writs of *Compute* and *Perdono* involving no liability on the officials, passed at once into the hands of the Marshal.<sup>3</sup>

Persons coming to the Receipt of the Exchequer with claims on the Crown had to satisfy themselves as to the correctness of the money paid to them before leaving the premises, no recount being allowed after that.<sup>4</sup>

<sup>1</sup> *Dial.* 82.

<sup>2</sup> *Excheq.* l. 172-176.

<sup>3</sup> *Dial.* 72, 83, two very confused passages, not easy to follow; see also Lane Poole, 113, 114.

<sup>4</sup> *Dial.* 64.



# DIALOGUS DE SCACCARIO

## CHAPTER II

### THE UPPER CHAMBER

WE may now ascend to the Upper Chamber to be introduced to the Barons sitting there, in full dress array, for the grand Audit such as would be held at Michaelmas and perhaps at Easter ; but at those times only in the whole year. Here the sheriff, in the account presented to us, seems to stand out as almost the only man who has to render account to the King. In ordinary years, with no extra taxation levied, the bulk of the revenue no doubt passed through his hands. But, even so, we shall find that the other sources of income, or 'forinsic' returns as they might be called, did not total much less ; while, as years run on, we shall find the 'forinsic' returns steadily rising in importance, and the county and borough farms falling in comparison.

We have seen that the Exchequer board or table with its chequered cloth, the actual *scaccarium*, was ten feet long by five feet wide. On the four sides of the table are set four benches or forms.<sup>1</sup> At the head of the table itself, in the middle of the short side, presumably facing the door on a seat of his own, sits the President, who should be the Chief Justiciar, if present ;<sup>2</sup> in his absence the Chancellor would preside. Assuming the Justiciar (number 1) to be present,<sup>3</sup> at his left hand, in due order, sit, (2) the Chancellor ; (3) the Constable ; (4) and (5) the two Chamberlains of the Exchequer ; (6) the Marshal.<sup>4</sup>

<sup>1</sup> "*Ad quatuor scaccarii latera quatuor sedilia vel scamna.*" See the drawing opposite.

<sup>2</sup> "*Ad caput scaccarii . . . in medio non sedilis sed scaccarii,*" *Dial.* 69. At the present day once a year, at the pricking of the sheriff's lists, the Chancellor of the Exchequer, in the robes of a Baron, sits at one end of a narrow table, with an official on either side of him.

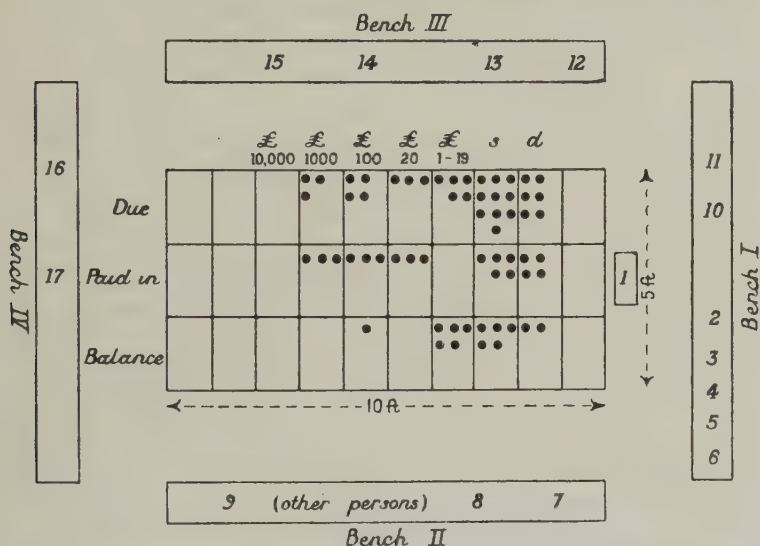
<sup>3</sup> See the diagram.

<sup>4</sup> "*Miles qui vulgo dicitur marescallus*"; "*marescallus scaccarii*", *Dial.* 69 and 72. The writer speaks of the Marshal as if he was not Marshal of England but only Marshal of the Exchequer.

After these dignitaries come any men of rank specially invited by the King. 'This is the order of the first bench'; where, if

## EXCHEQUER BOARD (*Scaccarium*)

with seats of Barons and Officials at half-yearly Audits (*Dialogus*, 69, 70),



The counters in the upper compartment of the table show the sum due by the accounting party, viz. £3,465 10s. 6d.; the counters in the middle compartment show the sum paid in, viz. £3,360 5s. 4d.; and the counters in the bottom compartment show the balance due, namely £105 5s. 2d.

## PERSONS

- |  |  |
|--|--|
| (1) President, Justiciar, if present.  | (10) Bishop of Winchester.   |
| (2) Chancellor.  | (11) Treasurer.  |
| (3) Constable.   | (12) Treasurer's scribe, " <i>Scriptor Rotuli</i> ," Engrosser of Pipe Roll.       |
| (4) Chamberlain.   | (13) Chancellor's scribe, Engrosser of Chancellor's Roll, or "Controller of Pipe". |
| (5) Chamberlain.   | (14) Chancellor's Clerk.   |
| (6) Marshal.   | (15) Clerk of Constabulary.  |
| (7) Chamberlain's Clerk.   | (16) Thomas Brunus.  |
| (8) <i>Calculator</i> .  | (17) Sheriff and suite.  |
| (9) <i>Clericus qui Scriptorio preest</i> , otherwise <i>Magister Scriptorii</i> ; Clerk of the Rolls. |  |

The above arrangement of persons does not quite agree with that given by Mr. H. Hall, *Pipe Rolls*, Introduction, or that given by Mr. Lane Poole, *Exchequer*; or that given by the Editor of the *Dialogus*, p. 46. Sir William Anson in his "Constitution" does not commit himself to a diagram.

we understand the matter rightly, the writer should have said, 'The order of the first part of the first bench', as there were more persons to follow, whose dignity would not allow of their sitting on anything lower than the first bench. On our second bench, on the left-hand long side of the table (*ad latus longitudinis scaccarii*), we have (7) the Chamberlain's (Deputy-Chamberlain's?) Clerk, Tallycutter, or *Contrataleator*, with the counter writs of moneys received,<sup>1</sup> (8) the *Calculator*, or man who sets the counters on the table; then come invited persons of minor rank; and lastly, and specially (9), *ex officio*, the important Clerk described as the man "*qui scriptorio preest*", or chief of the secretarial department.<sup>2</sup> We then go back to the President to get the persons placed on his right hand on the second part of the first bench, as we have it, and as the writer gives it; but in fact in dignity, the first part of the first bench. First of these (10) is Bishop Richard Toclyve of Ilchester, who might be described as an extraordinary member of the Board; inasmuch as the King, out of his special confidence in him, had given him an *ex officio* seat there. Richard had been connected with the Exchequer from the beginning of the reign; had been given the Archdeaconry of Poitiers, apparently *in commendam*, as he continued at work at the Exchequer, and held circuits as Justice in Eyre; he was employed on confidential missions to the Continent in connexion with the Becket controversy, and finally was appointed Bishop of Winchester in 1174.

Alongside of him sits (11) the Treasurer "*in capite secundæ sedis in dextera*", where clearly the writer's second bench is our second part of the first bench, so as to place the Bishop of Winchester and the Treasurer on a level with the Chancellor and the Chamberlains. Why the men of highest official rank should be placed on the left of the President does not appear. We can only suggest that the order of precedence was changed out of regard for the Episcopal dignity of Richard of Ilchester, fitzNeal the Treasurer having only attained to the position of Archdeacon when he wrote.

<sup>1</sup> "*Cum recantis, hoc est cum contrataleis de recepta*," *Dial.* 69. On the Pipe Rolls of Henry II we find the *Contrataleator* in the receipt of 2d. a day. The name does not appear in the *Dialogus*. I venture to identify him with the Tallycutter.

<sup>2</sup> Mr. Hubert Hall styles him the Clerk of the Rolls, Pipe Roll 3, p. 41.

The next man (*post hunc* i.e. the Treasurer) as No. 12 in our order, comes the Treasurer's Scribe, the Engrosser of the Pipe Roll. As the text stands he would seem to sit on the same bench as the Treasurer, the bench of honour. Surely again we may safely place him on the right-hand side of the table, say on the third bench, opposite the other chief Clerks and Scribes. Next to him comes (13), the Chancellor's Scribe, the Engrosser of the Chancellor's Roll, the duplicate of the Pipe Roll; then we have (14), the Chancellor's Clerk, whose special duty, we are here told, it was to watch the Scribe, and verify the exact correspondence of the Chancellor's Roll with the archétype, but of whom much more remains to be said. Last on this bench comes (15), the Constable's Clerk or Clerk of the Constabulary, and now we are told that we have got to the end of the third bench, though where it began was never indicated.

Finally, on the fourth bench, facing the President, we have another extraordinary member of the Exchequer Board introduced by the King's suspicious vigilance, in the person (16) of one Master Thomas "Brunus", "Brun", or Le Brun, with a private Roll of his own, and a clerk of his own, to note any points of interest that might have escaped the others.<sup>1</sup> He was a man of some experience in financial matters; he had been in Sicily, and enjoyed the confidence of Roger II. At the accession of William the Wicked (1154) he came to England, and was patronized by Henry.<sup>2</sup> On the Pipe Rolls 4 and 5 Henry II (1157-1159) we find Ralph "*nepos*", i.e. nephew of Thomas "Le Brun" in the receipt of a salary of 4*d.* a day (£6 1*s.* 8*d.* a year); after that the "*nepos*" appears no more, but Master Thomas himself comes forward as receiving the large sum of £37 14*s.* as a *liberatio* or salary. But this must have been an extraordinary grant, as later in the year, and thenceforth till 1175, we find him with a salary of 5*d.* a day, £7 12*s.* 1*d.* a year, like the Clerks of the Exchequer.<sup>3</sup> On the Roll 12 Henry II he is styled the King's Almoner, but without any rise of salary.<sup>4</sup>

For his clerk, as a new-comer, the jealous etiquette of the Exchequer could find no place on any one of the established forms, but, as the man had to take notes of the proceedings, a

<sup>1</sup> *Dial.* 69, 70.

<sup>2</sup> *Id.* Notes, 173.

<sup>3</sup> Pipe Roll 6 H. II, 10, 29.

<sup>4</sup> p. 83.

raised chair or stool was provided for him behind the Treasurer's Scribe (18).<sup>1</sup>

Alongside of Master Le Brun sat (17), the accounting sheriff with his clerks and assistants.

With regard to the irregular distribution of persons on the first bench, as we arrange them, with five men on the one side, and two men on the other side of the President, we regard the whole account as a possible, or ideal, but not an ordinary picture. Under usual circumstances the Chancellor would probably preside, with the Bishop of Winchester and the Treasurer on the one hand and the two Chamberlains on the other hand.

Details of the functions, emoluments, and privileges of these several functionaries are now given us. Paramount in all things is the authority of the Chief Justiciar; he alone can issue writs directing money to be paid out of the Treasury, either in the King's name or his own; <sup>2</sup> at any rate when the King is abroad.<sup>3</sup> It is clear, however, that the attendances of the Justiciar at the Exchequer were exceptional.

Next in importance to the Justiciar, both at Court and at the *Scaccarium*, comes the Chancellor, described as a man with a right to be consulted in all things, but whose technical position at the Exchequer is given as being that of the Keeper of the Great Seal. But it must be noted, as one of the eccentricities of our system, that the keeping of the Great Seal rested with the Treasury, namely, with the Receipt of the Exchequer, under the charge of the Treasury officials, unless when taken out for the transaction of business. The business ended and the writs sealed, the Seal would be replaced in its bag, under the Chancellor's seal, and sent down to the custody of the Treasurer or his Clerk in the Lower Chamber. Here we seem to have a curious interlacing of office and responsibility; the Chancellor is responsible for the Seal; but it abides in the hands of the Treasurer's Clerk. The Chancellor was also responsible for his Roll, the Chancellor's Roll, the duplicate of the Great Roll, the *Rotulus Annalis* known as the Pipe Roll, the Chancellor's Roll being simply copied by his Scribe from the Pipe Roll, word for word. It would seem that though the Chancellor's Roll was

<sup>1</sup> *Dial.* 84.

<sup>2</sup> *Id.* 68.

<sup>3</sup> *Id.* 83, modifying his previous statement.



only a copy, he was held as responsible for everything entered on it as the Treasurer and Chamberlains, except the actual payments into the Exchequer. For these the Treasurer and Chamberlains alone would be responsible. But as the Chancellor was responsible for his copy of the Pipe Roll, he could object to anything being entered on the Pipe which he might think incorrect or objectionable. If the Treasurer should remain unconvinced, the Chancellor had a right of appeal to the Baron's Court.<sup>1</sup>

The Chancellor's attendances in the Exchequer, never very frequent, became gradually rarer, this leading to the eventual separation of the Chancery from the Treasury, to the advantage of both offices.<sup>2</sup>

The Constable again, like the Chancellor, was a man 'entitled to have a voice in all matters of state'. At the Exchequer he joined the President as second witness to writs of Issue or *Compute*; a more special function was that of acting as paymaster to the soldiery in the King's service, whose accounts he settled, with the help of the Clerk of the Constabulary, and the Marshal of the Exchequer. The King's falconers and the servants of the Royal Mint also received their wages through him; but these duties fell to him not *qua* Baron of the Exchequer but *qua* head of the army staff.<sup>3</sup>

With respect to the Chamberlains their office is described as a delegation of the functions of the Treasurer,<sup>4</sup> as if to lighten the burden of his labours. No special duties are assigned to them; they share the responsibilities of the Treasurer, anything done by one is done by all.<sup>5</sup>

On the later Pells, which were engrossed in triplicate, the principal copy bore the name of the Treasurer; the duplicates were headed each with the name of a Chamberlain. The Chamberlainships were sergeancies, hereditary offices, held in connexion with land.<sup>6</sup> On the Pells they appear as men of rank

<sup>1</sup> *Dial.* 71.

<sup>2</sup> Lane Poole. See Anson, *Const.* II, ii. 255.

<sup>3</sup> *Dial.* 72.

<sup>4</sup> "*Officium annexum officio Thesaurarii.*" For the development of the Office from one to two Chamberlains see Round, *Commune*, 81.

<sup>5</sup> "*Pari jure societatis obligantur.*"

<sup>6</sup> *Dial.*, Introduction 20, and text 97. At the Record Office till lately the Chamberlain's Rolls, the duplicates of the Pells, were misnamed "Auditor's Rolls", there being no official at the Exchequer known as 'Auditor'.

not likely to take active part in the work of the office. On the Pipe Rolls the only Chamberlains we hear of are the Deputy Chamberlains, of whom below.

The Marshal had the keeping of the discharged tallies, after the sums noted on them had been paid in and entered on the Rolls. He had also the keeping of the counter writs of *Compu-tate* and *Perdono*, as already mentioned.<sup>1</sup>

Debtors who, when summoned, had failed to make satisfaction, were committed to the keeping of the Marshal; Barons would be allowed to go on *parole*; Knights would be lodged with the Marshal; men of less rank could be consigned to a public prison, but only to be treated liberally, according to their station. At all events they were not to be cast into the lowest dungeons (*ima*).<sup>2</sup>

The Marshal also had the duty, already noticed, of taking from the accounting party a solemn oath that he had rendered a full and true account.<sup>3</sup> Likewise it was his business to receive from the Treasurer's Clerk, the Keeper of the Exchequer Seal ("*a latore sigilli regii*"), the summonses for the next sitting of the Exchequer, and to deliver them to the Usher of the Upper Chamber for service.<sup>4</sup>

The Chamberlains' (Deputy Chamberlains'?) Clerk or *Contrataleator* (No. 8) sits at the head of the left-hand bench (No. 11). He holds the counter tallies from the Exchequer, ready to be compared with the tallies to be produced by the accountants. He has a standing fee of £3 10s. a year.<sup>5</sup>

The Easter reckoning was not held an Account or full Audit, but only a View of Account. At that sitting the Tallycutter would note on tally and counter tally any sums paid in up to date,<sup>6</sup> and then restore the tally to the party with these additions

<sup>1</sup> *Dial.* 72, 83.

<sup>2</sup> *Id.* 72, 151. In course of time the Marshal was given a prison of his own, the Marshalsea, established in High Street, Southwark. It was specially intended for the punishment of persons found guilty of committing offences within the *verge*, i. e. a radius of twelve miles from the Royal quarters.

<sup>3</sup> "*Fidem suscipiat . . . secundum conscientiam suam*," *id.* 73; "*Fide corporaliter prestita*," 143.

<sup>4</sup> *Id.* 73.

<sup>5</sup> Pipe Roll 8 Henry II.

<sup>6</sup> The tally might be reduced (i. e. notches cancelled) as well as enlarged "*Minuit vel addit in tullea, apposita eidem contratalea vicecomitis*," *Dial.* 73.

(*longiorem*), to be brought up again at Michaelmas, when the total paid in would be entered on the Great Roll, and the tallies finally returned to the Marshal's keeping. We have already seen that till the tally was deposited in the Exchequer the accountant would not be free.<sup>1</sup>

Next to the *Contrataleator* or Tallycutter we have the man selected to place the counters on the chequer-board, for settling the reckoning. To do this he takes his stand at the middle of the table (*in medio lateris*) with his hands free to act. As each sum of money is called out he places the corresponding counters in their places on the *abacus*. Oddly enough, it appears that the duty of placing the counters was not appurtenant to any office, but that the man to act was specially named by the President for the occasion.<sup>2</sup> The reason for this may be traced in our writer's view of the arduous and ticklish nature of the task (*Officium satis perplexum et laboriosum*). Other functions can be performed by hand or eye or both; here tongue, hand, eye, and mind are all taxed to the utmost.<sup>3</sup> In the simple working out of the sums of addition and subtraction on the *abacus* the reader may feel reminded of the game of Loto of his early days; but it is pretty clear that the man was named for the occasion because it was thought that an *ex officio Calculator* might not always be up to the task.

Alongside of the *Calculator* room is left for any discreet and learned persons whom the King may invite to attend; then comes the official described by the clumsy title of "*Clericus qui preest regis scriptorio*", the "*Magister Scriptorii*" of the *Constitutio Domus*, the chief of the secretarial department of the Exchequer. He is not described as being Clerk either to the Chancellor or the Treasurer, but as an official sitting in his own right, *ex officio*. From this fact it seems to follow that he had his appointment from the King. He has to find or appoint the Chancellor's Scribe, the Engrosser of the Chancellor's Roll; also a man or men to make out all the summonses issuing from

<sup>1</sup> *Dial.* 73, 74.

<sup>2</sup> "*Is qui precepto regis computationes facit positione numerorum pro calculis . . . nulli convenit ex officio nisi cui rex vel justicia mandaverit exequendum*"; 75.

<sup>3</sup> "*Cetera officia lingua, vel manu vel hiis duobus explentur. Sed in hoc lingua, manus, oculi, mens indefessa laborant*"; *id.* 75.

the Exchequer.<sup>1</sup> The *Magister* also has to see that Roll and writs are all correctly made out. His duties are described as arduous and multifarious 'as those who have held the office know'. From this remark it may be inferred that the writer himself had held the office.<sup>2</sup> Crossing over to the upper side of the first bench we have Richard Toclyve of Ilchester, the Bishop of Winchester, of whom we have spoken, sitting on the right hand of the President.

Next comes the Treasurer. During the formal Audit he watches the proceedings with the keen eye of a man who knows that he is responsible for everything done. But his personal superintendence is not limited to the grand sittings at Easter and Michaelmas only; he is supposed to see to every detail of daily routine in either Chamber. But the paramount duty that cannot be delegated is the auditing of the receipts, and the compilation of the all-important Great Annual Roll, the Pipe Roll, a most authoritative record, not to be questioned or altered, except for patent defects, and even then only by order of the Barons, and in their presence. Apparently every entry on the Roll is dictated by the Treasurer to his Scribe, the Engrosser of the Pipe Roll.<sup>3</sup> As a basis to work upon he has before him probably the *Rotulus* or *Breve de Recepta*, also the *Liber Exactorius* or official record of the 'farms' (*fermae*) and other regular payments due by the sheriffs and others; also all the counter-writs, counter-tallies, and other documents bearing on the rights of the Crown. At the present day the efforts of the Treasury are directed towards guarding against attacks on the public purse, and improper outflow of money. In mediaeval times its whole business was to guard against evasion of dues.

<sup>1</sup> "*Ad hunc pertinet scriptores idoneos ad rotulum cancellariae et ad brevia regis quae in scaccario fiunt necnon et summonitiones conscribendas invenire.*" The words sound as if the writers of the Chancellor's Roll and the writers of the writs and summonses were different men.

<sup>2</sup> *Dial.* 69, 77, 81, 82.

<sup>3</sup> *Id.* 78, 79. "*Magnus Rotulus Annalis*", "*Le Grant Roule*", "*Le Roule Annal*"; and later "*La Pipe*" (A. D. 1384), *Rot. Parl.* III. 101; *Red Book Exchq.* III. 358, and my *Articles*, *Engl. Hist. Rev.* XXVI. 329, 749. The 'Pipe' or 'Strip' Roll was so named from being made of membranes, not sewn consecutively, like Chancery Rolls, but in lengths stitched together at one end. *Prima facie* each strip held the accounts of a county, and bore its name, as "*Ebor*". If more than one strip was wanted the additional "pipe" would be headed, "*Item Ebor*".



During the Audit and the compilation of the Roll the Treasurer's presence could not be dispensed with. On other occasions, however, as our author frankly admits, the duty of attendance on the King, his position as that of a man having a right to be summoned to all state Councils, and consulted and informed about everything, involved a frequent delegation of duty to subordinates.<sup>1</sup>

The references to the official, we might almost say the constitutional rights of the Chancellor and Treasurer, as showing the controlling influence that the Household and Baronage could exert on an Anglo-Norman King, are very interesting.

The Treasurer's Scribe, the Engrosser of the Great Roll, sitting near his chief, has the simple duty of writing from his dictation ; he also provides the parchment for the Roll, and also parchment for the summonses of the Receipt of the Exchequer. For his work as a scribe he has 5*d.* a day ; for the supply of parchment 5*s.* at Michaelmas.<sup>2</sup>

Side by side with the Treasurer's Scribe sits another writer, the Engrosser of the Chancellor's Roll, which he copies verbatim from the Great Roll. Later he was known as the Controller of the Pipe, i. e. the *contrarotulator* or Writer of the Counter-Roll or duplicate of the Pipe. Though styled the Chancellor's Scribe, and Engrosser of the Chancellor's Roll, it would seem that he was not strictly speaking one of the Chancellor's Clerks, as we have seen that his appointment rested with the *Magister Scriptorii*.<sup>3</sup> Besides engrossing his Roll he has to make out the Issue writs of *Liberate*, *Allocate*, and *Perdono* ; and at the end of each term he has to make out the summonses for the next term, " afterwards known as the writs of the summons of the Pipe ".<sup>4</sup> For his work as a scribe he again gets 5*d.* a day and 5*s.* for the parchment at Michaelmas.<sup>5</sup>

Of much greater importance is our next personage, the Chancellor's Clerk, an official of varied duties, whose attendance during the whole time of the Audit was said to be indispensable, unless an efficient substitute could be procured. Presumably he

<sup>1</sup> "*Ad eum spectat ut ad omnia magna negotia cum superioribus assumatur, et nihil eum lateat* " ; *Dial.* 69, 79, 84.

<sup>2</sup> *Id.* 79-81.

<sup>3</sup> *Id.* 77.

<sup>4</sup> *Id.* 80, 81 ; Lane Poole, 114.

<sup>5</sup> *Dial.* 81. See also Issues, 44 *Ed.* III, 208 (*Devon*).



was appointed by the Chancellor, and evidently represented him, when, as often happened, the latter could not attend. In one passage the Clerk's duty is described as being simply that of watching the exact correspondence 'to an iota' of the Chancellor's Roll with the Treasurer's Roll (Pipe Roll), from which it is copied.<sup>1</sup> Now we find that next to the Treasurer he has the most to do of any man with the whole course of the business of the Audits and the compilation of the Great Roll.<sup>2</sup> He has to correct and seal the summonses for the next session,<sup>3</sup> the Seal itself, the Exchequer Seal, being, as we have seen, under the charge of the Treasurer's Clerk; and he has the keeping of the counter-writs of *Liberate* authorizing the payment of money.

From the Chancellor's Clerk, the Chancellor of the Exchequer, now the Financial Minister of the Crown, has been regarded as descended. But this view is refuted by the fact that the Chancellor of the Exchequer was appointed, not by the Chancellor, but by the King. He first appears under Henry III, as a coadjutor given to the Treasurer with charge of the Exchequer Seal, which previously had belonged to the Treasurer's Clerk.<sup>4</sup> Apparently he was appointed to render the help that should have been rendered by the Chamberlains (not the Deputy Chamberlains), who being men of position holding by serjeanty, evidently took no part in the work of the office; perhaps he may also have been appointed as a check on the Treasurer.

Last on the long bench on the President's right sat the Clerk of the Constabulary, a man of considerable position at the Exchequer, but still more so in the *Curia*, his chief business at the Exchequer being to bring down the counter-writs of all writs or warrants relating to the expenditure of King and Household sealed *in curia*. He also, in conjunction with his chief, had to attend to the troublesome business of settling the wages of soldiery and others in the King's service, a duty often handed over to others.<sup>5</sup>

On the fourth bench, facing the President, as already men-

<sup>1</sup> *Dial.* 69.

<sup>2</sup> "*Huic prima cura est post thesaurarium in hiis omnibus quae illic geruntur maxime tamen circa rotulorum et brevium scripturam*"; *id.* 83.

<sup>3</sup> *Id.* 82, 84.

<sup>4</sup> Madox, II. 51, 52, cited Lane Poole. "The Chancellor of the Exchequer is always one of the Commission of the Treasury, but he is appointed Chancellor of the Exchequer by separate patents, and by receipt of the Exchequer Seals"; Anson, Constitution, II. 179.

<sup>5</sup> *Dial.* 84.

tioned, sat Master le Brun with his third Roll. This he was allowed to keep in his own hands, an entire novelty in more ways than one. In his position and that of the Treasurer's *adlatus*, the Bishop of Winchester, have been traced the origins of the important offices of the King's Remembrancer and the Lord Treasurer's Remembrancer (*Rememoratores*), and their respective *Memoranda* Rolls.<sup>1</sup> Master le Brun is said to enter on his Roll the "*regni jura*" and "*regis secreta*". To a Treasury official the *regni jura* ('the laws of the Kingdom') would mean the King's regular dues; the *secreta* would mean casual, indirect, latent sources of income, to be carefully looked after. These are just the matters dealt with by the two *Memoranda* Rolls, between them. The King's Remembrancer concerns himself mostly with occasional debts; the Lord Treasurer's Remembrancer concerns himself with regular rents and issues.<sup>2</sup> Among the King's Remembrancer's *Miscellanea* a document has been found, being an inventory of the effects left by one William Cade, a rich financier of whom we shall hear, who died about the year 1160.<sup>3</sup> The inventory had evidently been taken with a view to the appropriation of Cade's property, as "*secreta*", or occasional windfalls, not to be entered on the Rolls. This document clearly carries back the work of the King's Remembrancer to the time of the Second Henry, if not actually to Master le Brun or Richard of Ilchester.

Lastly we have the Usher of the Great Exchequer, who has the charge both of the Outer and the Inner Chamber, and can exclude any person not coming on business, or by the King's permission. It is his business to introduce the sheriffs and accountants, when summoned by the President; he lays the rushes on the floor (*sternit*), and places the benches. At the end of each term he serves the notices for the next term, which he receives from the Marshal.<sup>4</sup> For this duty he draws a mark a term, or £1 6s. 8d. a year.

<sup>1</sup> Lane Poole, 119. See this view discussed by Hilary Jenkinson, *Magna Carta* Essays, 254 (R. Hist. Soc. 1917).

<sup>2</sup> Scargill Bird, Public Records, 161. Both sets of *Memoranda* Rolls, however, only began with the reign of Henry III.

<sup>3</sup> English Historical Review, XXVIII. 209, and the article by Mr. Hilary Jenkinson and Miss T. M. Stead.

<sup>4</sup> "*Factas summonitiones et signatas a marescallo suscipit soluto scaccario illius termini, et in propria persona, vel per fidelem nuncium . . . easdem deferri*"; *Dial.* 92.

It would seem that the office was hereditary or might be allowed to become such. Early in the reign of Henry II we have one Roger, Usher of the Lower Chamber. He dies, and then we have one Elyas offering ten marks for the hand of his widow and the wardship of his children; thenceforward he appears as Usher.<sup>1</sup>

The two marks a year of the Usher of the Lower Chamber, and the two pence a day of the *Contrataleator*, are the only salaries of officials to be found on the Pipe Rolls of Henry II.

The salaries of the Treasurer and Chamberlains are not given in the *Dialogus*. But we learn from the Pipe Roll 31 Henry I<sup>2</sup> that the Treasurer drew 5s. for every day of actual attendance, as stated in the "*Constitutio Domus*".<sup>3</sup> How this and other salaries were paid has yet to be cleared up; possibly they came out of the *Exitus Thesauri* to which the Combustions on the blanching of coin went.

Besides their salaries and emoluments the Barons and officers of the Exchequer, whether clerics or laymen, enjoyed sundry privileges and exemptions. They must not be cited to appear before any other Court. If one of them should have a suit of his own to prosecute he must adjourn it till after the sittings, or employ a proctor or attorney. They are exempt from toll, tribute and custom; they do not contribute to "Common Assize", or any general amercements imposed by the Justices on counties, nor to *Murdrum*, scutage, or Danegeld. The immunity applied to all their demesne lands (*dominia*), defined as lands cultivated either by hired or servile labour; and the exemption extended to the parcels of land held by servile tenants (*adscriptitii*). The Barons again are not to be called upon to pay the usual rents for "*essarts*"<sup>4</sup> or essarted lands, i. e. lands brought into cultivation within the precincts of a Forest; at any rate not for lands essarted before the death of Henry I. Any person insulting an official, or using offensive language to him, to be fined by the President.<sup>5</sup>

<sup>1</sup> Pipe Roll 18 H. II, 51; 32 H. II, 49.

<sup>2</sup> ed. Hunter, p. 140.

<sup>3</sup> Red Book Excheq. III. 807.

<sup>4</sup> *Essart* or *assart*, Old French; both forms appear in official documents; but *essart* seems the older and more consonant with French idiom; see Godefroy, Dictionaire.

<sup>5</sup> *Dial.* 93-98; 102-105.

# DIALOGUS DE SCACCARIO

## CHAPTER III

### THE AUDIT

AN indispensable preliminary to the holding of a session of the Exchequer was the issuing of the summonses to all persons, great or small, whose attendance was required. Nobody was bound to appear unless summoned by the King's writ under the Exchequer Seal; the writ to specify the place of meeting, and, in the case of an accountant, the sum due, and on what account. The sheriff would notify the debtors of his county of the day fixed for their appearance, and warn them to be all ready together at hand,<sup>1</sup> the accounts being taken by counties.

Payments at Easter were not held an Audit, or full settlement, but only a 'view of account' (*visus compoti*) or payments on account,<sup>2</sup> as already mentioned, and in the summonses for Michaelmas no account was taken of any payments made at Easter, the accountant being called on for the whole debt due from the previous Michaelmas; but at the Audit full credit would be given him for all his tallies and payments on account.<sup>3</sup>

It should be explained that the Pipe Rolls are dated by the regnal years, but only as beginning at Michaelmas. The Pipe Roll 31 Henry I is the Roll of the year 29th September 1130–28th September 1131. The Easter term was held the second term of the year. With that arrangement one would expect the final Audit and close of the year's accounts to come at the end of that term, say in July or August (1131). But, as a matter of fact, the final Audit came at the beginning of the next regnal year, in the first days of October; and so the Roll for the thirty-first year really deals with the accounts of the thirtieth year, 1129–1130. The year begins with the settlement of the accounts of the previous year. We can only suggest that this carrying over or delay was granted in order to give the accountants the benefit of the harvest, the chief source of the national wealth.

<sup>1</sup> "*Provideat ut debitoribus sui comitatus innotuerit qua sit die ad compotum sessurus*"; *Dial.* 125.

<sup>2</sup> *Id.* 115.

<sup>3</sup> *Id.* 112, 116.



Appearance might be excused in the case of a sheriff on the ground of illness, either of himself, or his wife, or his eldest son, but he must send up the money, and that, not by a cleric, who, if he absconded, could not be brought to justice, but by a layman ; and he must be a knight, and a relative of the accountant. Attendance would also be excused if the debtor happened to be employed on the King's business ; or even if called on by his liege lord to help and stand by him (*ut adsit sibi*) in any suit affecting the lord's life, *status*, or property.<sup>1</sup> This justification for absence is most interesting as fresh evidence, if any were needed, of the strength of the homage tie, and of the fact that the old rule of allegiance to the immediate lord had not been ousted by the Conqueror's rule of requiring homage from under-tenants.

A sheriff absent without excuse was liable to a fine of £5 a day for each day of default ; if he held two counties linked, as was often the case, he would forfeit £5 a day for each county ; prolonged absence would place him 'at the King's mercy' (*in misericordia*), involving utter forfeiture, if the King should care to enforce it.

The primary liability for which a sheriff has to account is his *firma comitatus*, the rent that he has to pay for the miscellaneous Crown lands, rights, issues, and profits within the county farmed by him ; he takes the gross receipts and makes what he can out of them ; the profit should be considerable from the large sums occasionally paid for the office.<sup>2</sup> Again, however, we shall find a man fining to be quit of it.

We are told that county farms could be raised but never lowered.<sup>3</sup> As re-arranged by Henry II the *firmæ* seem fixed. But it did not follow that a sheriff's liability could never be raised. When a case came for a further charge the extra payment was laid on, not as an addition to the farm itself, but as an 'Increment', to be accounted for separately, and settled in current coin (*numero*).

Besides his own farm the sheriff had to account for all estates and lands in hand, whether baronial Honours or petty hides and bovates, unless farmed out or placed under *custodes*, to

<sup>1</sup> *Dial.* 122-124.

<sup>2</sup> e.g. 400 marks for Oxfordshire, 31 H. I, p. 2.

<sup>3</sup> *Dial.* 109.



account for the rents and profits. For Honours farmed to himself, of course, he would have to settle; and he would have to look after any lands falling in, either by forfeiture or failure of heirs. But the broad rule as to the responsibility of the sheriff for the debts of others was that he was only liable for assessments on collective bodies, namely Danegeld, 'Common Assize', and *Murdrum*. A 'Common Assize' was a penalty or amercement laid on a county, a Hundred, or a township; and *Murdrum*<sup>1</sup> was always laid on the Hundred. A fourth head of levy, prudently slurred over by the Treasurer, for which the sheriff would be responsible, was that of the "*Auxilia*" and "*Dona*", of which we shall hear below. For the old feudal *Auxilia*, the Aids to knight the eldest son, marry the eldest daughter, or ransom the lord's person, the sheriff was not responsible; nor was he answerable for scutage, except from the under-tenants of Honours in hand. In other cases the persons liable would answer in person.

With respect to the debts of individuals for which the sheriff was responsible, it appears that in general he would be clear of all liability if he is ready to take his bodily oath (*fide corporaliter prestita*) that, after diligent search, he has failed to find any chattels to distrain. So at least with regard to land-holders, whether free or servile (*adscriptitii*). But if the unfortunate debtor should be a burgher or casual dweller in a town (*civis vel burgensis*), the sheriff would have to sell his house and land, or if he could not find a purchaser, take them into hand.<sup>2</sup> It is clear that the difficulties in the way of enforcing payment of debts from landowners were considerable; we have men of property owing money to the Crown; paying little or nothing year after year, and dying deeply in debt, their dues unsettled, unless their estates could be taken into hand. See the cases of Hubert and Ralph of Rye. Both owed large sums of money since 1178-1179; both died deeply in debt, 1188-1189. Hubert's lands were taken into hand; with respect to Ralph the entry runs, "*Mortuus est et de suo nichil invenitur*".<sup>3</sup>

<sup>1</sup> *Murdrum*, of course, was the amercement for a homicide for which no one could be brought to justice as its author.

<sup>2</sup> *Dial.* 143, 144 and notes.

<sup>3</sup> See Pipe Rolls 25 H. II, 3 and 118; 1 Ric. I, 41, 233 (Hunter).

As between counties there does not appear to have been any order of precedence. On the Pipe Rolls the counties are never taken twice running in the same order. The sheriffs must have been called in, one at a time, just as was found convenient.

The first day of the term was devoted to ceremonial calls on the Treasurer and greater Barons—no business being taken in hand.<sup>1</sup> When the Audit begins, the Chancellor's Clerk calls for the writ under which the accountant has been summoned.<sup>2</sup> If the accountant is a sheriff—and in the *Dialogus* the accountant always is a sheriff—the first thing attacked is the county farm, or "*corpus comitatus*". The amount is taken from the *Rotulus Exactorius*, the official list of the King's dues, kept by the Treasurer or his Clerk, and apparently posted up by the Barons at the end of each Michaelmas Audit.<sup>3</sup> No copy of this *Rotulus* has come down to us, and nothing more seems to be known of it. The amount of the rent having been marked on the *abacus*,<sup>4</sup> the Treasurer proceeds to examine the sheriff very much as a judge deals with a witness in court. His first questions are as to the standing allowances, under the heads of "*Eleemosynae Decimae et Liberationes Constitutæ*", and "*Terrae Datae*". Of these the *Decimae* were tithes, sometimes tithes from Forest lands, payable to religious bodies. The "*Eleemosynae*" were charitable doles. Under Henry II the Templars will be found regular recipients of the Royal bounty. The *Liberationes* were primarily pensions, often to old Crown servants. A penny a day, £1 10s. 5d. a year, is a common allowance, being in fact the ordinary wage of an able-bodied man or foot-soldier. But the standing allowances of the Exchequer sanctioned payments of most miscellaneous character; the wages of some of the Royal servants were included, such as the salaries of the King's chaplains (*editui*); those of his band (*tibicines*), and payments to the huntsmen kept for killing wolves; also the master or skipper of the King's yacht (*esnecca*) draws his pay from a sheriff.<sup>5</sup> Besides these payments

<sup>1</sup> "*Salutatis majoribus ipsa die [vicecomes] sibi vacat*"; *Dial.* 121.

<sup>2</sup> *Id.* 117.

<sup>3</sup> *Id.* 109, 113.

<sup>4</sup> On the early Pipe Rolls the total of the *firma* is not given; the student must add up the items to get it. The totals were first given under Richard I; Lane Poole, 130.

<sup>5</sup> *Dial.* 88, 127.

we have rewards to approvers for turning King's evidence ; and again a ghastly head of the expenses attending judicial combats, ordeals by iron and water, and the mutilation and execution of culprits.<sup>1</sup> Mutilation was justified on the plea that the sight of the maimed wretches had a deterrent effect on the population.

The standing and customary payments having been disposed of, the allowances under the head of *Terrae Datae* come on. These were simply lands that at one time had been in the sheriff's hands, and charged to him in his *firma*, but which had since been alienated by the Crown. It was only fair that the sheriff's farm should be reduced correspondingly. To us it would seem that the simplest plan would be to strike the *Terrae Datae* off the farm. But it appears that there was a possibility of reverter of these lands to the Crown, in which case the sheriff had a claim to have them replaced in his hands at the old rent,<sup>2</sup> which would probably be a profitable one.

A question to be settled with regard to each parcel of these lands was whether the original rent charged to the sheriff had been payable in ordinary current coin (*numero*) or in 'blanched' money. The allowance now would run accordingly.

Payment in 'blanched' money, as we have seen, meant payment at a rate of from  $2\frac{1}{2}$  per cent. to 5 per cent. above the nominal sum in current coin. A farm of £100 'blanch' meant from £102 10s. to £105, as might be determined either by assay or by arrangement with the Treasurer. As to the principle on which some manors might be assessed in 'blanch' and some in current coin (*numero*), we are told that when a manor was granted 'with the Hundred', i.e. with the profits of the Hundred Court, the rent would be in 'blanch'; not so if the Hundred was not included in the grant. The profits of the Court were estimated as amounting to the difference between the two modes of payment.<sup>3</sup> It would further seem that the Hundred Court was appendant to the manor within which it was held.<sup>4</sup>

<sup>1</sup> *Dial.* 127, 128.

<sup>2</sup> Turner, sup. 136; cited Lane Poole, 135.

<sup>3</sup> *Dial.* 126; Lane Poole, 159. All previous writers render payment 'numero' as payment by 'tale'. 'Tale' of course is a correct rendering of 'numero' in itself, but in this particular connexion it does not give the force of the distinction, which is not between sums 'told' one way or another, but between sums payable in current coin and sums payable by an artificial standard.

<sup>4</sup> Turner, sup. 136.

But the *Terrae Datae* were not connected with the sheriff's farms and the sheriff's farms alone. We have Honours in hand saddled with small *Terrae Datae* of their own, portions that must have been carved out when the Honours were still part of the King's demesne. Sometimes land was granted "*de prestito*" as 'by way of advance'. In such cases the grantee's heirs had no claim to the succession.<sup>1</sup> Under Henry II *Terrae Datae* will be found to assume alarming proportions.

With respect to all these classes of allowance the sheriff simply had to show that the several credits claimed corresponded with those on the Roll of the previous year, without producing any further warrant. But if a fresh property had been granted away from him, a fresh *Terra Data* conceded, then the actual charter of grant had to be produced to substantiate his claim for reduction. Among other things the sheriff had an allowance for the Earl's 'third penny' in counties where that due was conceded.

The standing and customary allowances having been disposed of, the Treasurer proceeds to question the sheriff as to money expended under the King's special orders. The writs authorizing the expenditure are handed by the sheriff to the Chancellor's Clerk, who reads them out, and then hands them on to the Treasurer for his decision as to whether the payments can be allowed or not.<sup>2</sup> The allowances and outlays having been disposed of, the cash payments into the Exchequer on account of the *firma* are taken up. So says the *Dialogus*; and so it may have been at the Audit. But on the Pipe Rolls the cash balance into the Exchequer is the first thing entered! With respect to all the allowances and credits we should expect to have them all put down in order, added up, and the balance struck. But as if wilfully to complicate a simple business, apparently, at each payment allowed a fresh sum of subtraction is performed on the *abacus*, the outstanding sum due being reduced at each step, "small by degrees, and beautifully less", till the end is reached. Again, with regard to payments required to be made in blanch silver, account of the Combustion has to be taken at each step.<sup>3</sup> If the account is fully settled it is marked "*Et quietus est*". If it has not been fully settled the account is

<sup>1</sup> *Dial.* 126.

<sup>2</sup> *Id.* 127.

<sup>3</sup> *Id.* 159.



marked "*Debet*" so much. But the sheriff under the special writs addressed to him or otherwise, might have expended out of pocket more than the amount of his farm. In that case his account would be marked "*Et habet superplusagium de £*" so much; the amount to be credited to him at the next Audit.<sup>1</sup>

The county farms having been settled, the sheriff proceeds to render account under the various heads already mentioned—estates in hand, escheats, and purprestures, Common Assizes, and tallages. He is also responsible for wastes and essarts in Forests, treasure trove, and the petty amercements of misdoers prepared to settle at once "*De his qui totum reddiderunt*". Not until he has shown that he has got in all that he can will he be allowed to take his oath to the Marshal and depart in peace.<sup>2</sup>

Here perhaps it should be mentioned that an incoming sheriff had to take over the liabilities of his predecessor;<sup>3</sup> a practice that led to the Pipe Rolls being burdened year after year with an ever-increasing load of bad debts, lost beyond all hope of recovery. At different times orders were given for striking off such arrears, with temporary, but only temporary, relief to the Rolls and the student.<sup>4</sup>

The sheriffs, of course, were not the only accountants summoned to appear at the Exchequer. After them came the bailiffs and provosts of towns that accounted apart from the counties; also farmers of Honours or other sources of revenue, Escheators, *custodes* of vacant Sees, and an army of debtors with obligations to settle in respect either of amercements imposed by Justices (*Placita*), or of *Oblata et Conventiones*, fines offered for favours to be purchased from the Crown, important sources of revenue as we shall find them in the future.

When this chapter in the proceeding is taken in hand (*cum de hiis instat exactio*) the Chancellor's Clerk apparently relieves the Treasurer, and takes up the work of examining the accountants.<sup>5</sup>

<sup>1</sup> *Dial.* 159. See a case Pipe Roll 31 H. I, p. 13. But at p. 63 we have an entry of *superplus* in a different sense. Ralph Basset and Aubrey de Vere render account of 1,000 marks of the surplus of the counties they had in keeping; they have paid 400 marks into the Treasury; 500 marks into the Norman treasure, with 100 marks in plate. The 1,000 marks would be the profits over and above the farms for which as *custodes* they would be accountable.

<sup>2</sup> *Ib.*

<sup>3</sup> *Id.* 142.

<sup>4</sup> On the Roll of the 33rd year H. II a list of bad debts struck off is given, pp. 1-12.

<sup>5</sup> *Dial.* 142.



# DIALOGUS DE SCACCARIO

## CHAPTER IV

### BRANCHES OF THE REVENUE

OUR Treasurer winds up his treatise with a review of the minor branches of the revenue, most of which have been mentioned already. He gives them in the following order :

I. *Purprestures*. Unlawful occupation of, or even encroachments on, Crown lands or rights. "In Forest Law it was used to signify an encroachment of any sort within the Forest."<sup>1</sup> In all cases the offenders would be liable to be amerced by the Itinerant Justices or by the Forest Justices. They might be evicted, and the lands let to others ; or they might be allowed to remain at rents fixed by the Justices. The sheriff would have the collection of these.<sup>2</sup>

II. Closely akin to *purprestures* were "*essarts*" (French = clearing), and the "*essarting*" of lands, being the rooting out of copse wood within the purlieu of Forests to bring the land under cultivation. Here again the offenders would be liable to amercement ; but we are told that they were commonly assessed at rents according to the crop sown, namely, a shilling an acre (*juger*) for land sown with winter wheat, and sixpence an acre for land sown with oats or other spring corn. To ascertain the state of the *purprestures*, *essarts*, and wastes the Forests were subjected to triennial visitations, known as the *Regard*, held by twelve knights, chosen by the sheriff. Their findings would be laid before the Itinerant Justices or the chief Forest Justice at the next circuit (*visus Forestae*).<sup>3</sup>

III. *Escheat*. This was, of course, the devolution to the

<sup>1</sup> G. J. Turner, *Pleas of the Forest*, XXVIII.

<sup>2</sup> *Dial.* 132.

<sup>3</sup> Turner, *Pleas of Forest*, LXXV ; *Dial.* 102-106. The advent of a *Regard* was much dreaded, and we find counties fining to have a *Regard*, or the Justice's action on it, adjourned ; Pipe Roll 21 H. II, 9. Fitz Neal confounds the "*visus Forestae*" with the "*Regard*". The Justices in Eyre had always a special charge to look after *purprestures* ; Hoveden, II. 64.

Crown of the estate of a tenant in chief who left no heir capable of inheriting under the terms of the holding.

IV. Next to escheat we have the incident known as Wardship, or the right to take the rents and profits of the lands of a minor during minority, without rendering any account beyond that of providing maintenance (*necessaria*) for him or her, and his or her family, as the case might be, according to their social position. Of the monstrous practice of selling the Wardship of a minor, as an asset to be turned into money, which in the case of a female would involve the disposal of her hand without her consent, our courtly Treasurer says nothing. As a corollary to this cruel right of Wardship we shall find fathers amerced for having married a daughter without the King's leave, where that was requisite. But these rights only extended to tenants *in capite* by knight's service. Our author gives the incident the curious title of *escaeta cum herede* (escheat with custody of the heir) where the term "escheat" implies the failure of heirs.

V. Relief was the fine payable by an heir for admission to his estate at the death of the predecessor. If the succession was to a barony held *de corona*, that is to say an estate granted out of the original demesnes of the Crown, the sum to be paid would be at the King's discretion; if the fief was held not *de corona*, but of estates that had somehow devolved on the Crown, the Relief would be at the rate of £5 the knight's fee, as with lands held by socage tenure. If the successor was a minor and his lands had been in Wardship, no Relief would be claimed.<sup>1</sup>

VI. Forfeiture. Analogous to escheat *propter defectum sanguinis* was the devolution to the Crown of lands forfeited by the treason or felony of the tenant, *escaeta propter delictum tenentis*. The custody of such lands would be in the hands of the sheriff; who would also have to realize and account for the personalty of the culprits, as well as for the goods of petty criminals and men who had absconded to evade justice. But here we encounter minute distinctions; the goods of a proclaimed outlaw fell to the man who arrested him; those of a highway robber to the King; those of a petty thief to the

<sup>1</sup> *Dial.* 133, 135.

sheriff.<sup>1</sup> In answer to the question why the goods of petty thieves and robbers—presumably men of servile position—should fall to the sheriff or the King, and not to their lords, the Treasurer tells us that the rule was established in the interests of the villeins themselves, whose lords might otherwise have been tempted to lead them into crime for the sake of confiscating their goods!<sup>2</sup> Fitz Neal's account of the state of the villeins is deplorable enough; but we must hope that the attitude of the landowners to their dependants was not so utterly inhuman as that. In the case of a lord with a franchise of infangthief, the forfeited goods would presumably go to him.

VII. Treasure trove. "*Thesaurus effossa tellure vel aliter inventus.*" For this, and goods forfeited under the preceding category, a sheriff was bound to answer without being summoned.<sup>3</sup>

VIII. Usury. The law on this point is presented to us in a state of great confusion, through the conflicting pretensions of Church and Crown. Usury, in the strictest sense, our author defines as the exaction of anything more than the sum lent, such as, 'to stipulate to receive £1 in return for a mark lent'; or 'two pence a week on the principal'. We are told that the personalty of a man who pursued this nefarious calling, styled by our author 'Public usury, after the manner of the Jews' (*more Judeorum*), might be summarily confiscated at his death without further ado (*non summonita*), that is to say if he left no Will; or even if he did leave a Will, but without either making restitution to those whom he had defrauded, or else distributing his goods in charity. During the usurer's life the King had no hold on him, because, in the first place, he might repent; and, in the second place, if proceedings were to be instituted against him, the matter would be one for the cognizance of an ecclesiastical tribunal. With respect to his Will, again, the Church would have her say. The whole question of usury, thus, was clearly one of canonical law. But our author can distinguish between different sorts of usury. With respect to the hypothecation of land to a creditor, who would enter into possession and take the produce of the soil by way of interest on his money, this, though open to reprobation, might be

<sup>1</sup> *Dial.* 134-136, 146.

<sup>2</sup> *Id.* 139.

<sup>3</sup> *Id.* 136.

tolerated, on the ground of the labour of tilling the soil. But a mortgage at a usurious rate of interest, or mortgage where the land is to be held till the sum borrowed has been worked out,<sup>1</sup> are both utterly condemned. In both the latter cases it would seem that the unfortunate mortgager, if allowed to recover his land, would have to account to the King for the whole mortgage money, even if part of it had been paid off. But our writer hastens to explain that the gracious King, in his munificence, though bound in the interest of the public weal to confiscate the vile usurer's ill-gotten gains, is generally content to accept of a 'composition'. Of the King's dealings with regard to usurers and Jews in general the Treasurer's account seems perfectly correct. We shall find them allowed a pretty free hand during their lives, and accumulating vast fortunes as the times went. At their deaths their effects would be confiscated and all moneys due to them called in.<sup>2</sup>

IX. *Census Nemorum*. Returns from the lawful sale of timber or copse, or blown or dead wood for fuel (O. Fr. *chaable*, blown timber). *Census* is defined as a fluctuating, uncertain return, unlike fixed rents, or even the average yield of cultivated land. But the chief returns from the Forests fall properly under our next head, being the yield of the amercements imposed by the Forest Justices for infractions of the cruel Forest Laws, as for poaching, possession of arrows, or keeping dogs unmutilated.<sup>3</sup>

X. *Placita et Conventiones*. On the Rolls the heading usually runs "*Placita Oblata et Conventiones*". In a word it included all the profits to be made out of the administration of the country by an arbitrary Government. The *Placita* or Pleas were the returns from the Judicial administration, at a time when almost all penalties were pecuniary—'amercements'. The *Conventiones* or *Oblata* represented the gains to be made out of the general administration of the country at a time

<sup>1</sup> "*Vivum vadium*", Blackstone, II. 289.

<sup>2</sup> *Dial.* 137, 138. In this passage the writer asserts that if a mortgage deed was discovered the mortgager would forfeit his personalty for being implicated in usury. But this seems hardly credible.

<sup>3</sup> *Id.* 80, 81, 141. For the "lawing" or "hombling" of dogs (*expeditio*), "cutting away the further joints of two middle claws", see Turner, *Forests*, CXIII. Neglect involved a fine of 3s. 1d.



when the King's hand was in everything, and he could set up whom he would, and put down whom he would.<sup>1</sup> Under the law introduced by our Norman Kings all penalties were at the King's discretion. A man convicted in his lord's court of any offence was at his lord's mercy (*in misericordia*); so that the lord, whether King or underlord, could seize all his goods. But a merciful custom had been introduced of "affearing", i.e. compounding the forfeiture for a reasonable fine or 'amercement', a modified *misericordia*. The amount of the amercement in the case of conviction in the King's Court would be settled by the Justices, or by the King himself. Henry I in his coronation charter promised to abandon the right of exacting full forfeiture (c. 8), but failed to keep his word.<sup>2</sup>

With respect to voluntary offerings, our author distinguishes between *Oblata in rem* and *Oblata in spem*. A man is said to offer money *in rem* when he pays down a sum of money for a definite grant of something at the King's immediate disposal, as a parcel of Crown land, or the wardship of an heir. In such cases the beneficiary, we are told, would be allowed to enjoy the grant so long as he continued to pay. This has reference to the fact that in many cases the fines were of extravagant amount, and could only be paid by instalments. Geoffrey the Chancellor, Henry II's son, was understood to have 'offered' 4,000 marks "*Pro Sigillo*" (the Great Seal). *Oblata in spem* are described as cases where a man offers money to the King for the sake of Justice in a private suit relating to property or money ("*Exhibenda sibi justicie causa super fundo vel redditu aliquo*"). Fitz Neal again is careful to explain that 'the money is only paid to escape delays. . . . The King often refuses immense sums.'<sup>3</sup> However, with respect to these offerings "*in spem*", we are told that the parties would not be required to pay, or to pay in full, until they obtained that for which they had bargained, and that in such cases the sheriff would answer on a man's behalf, "*Debet, quia rectum non habuit.*" This statement again is fully confirmed by the testimony of the Pipe Rolls.

<sup>1</sup> "*Placita dicimus poenas pecuniarias in quas incidunt delinquentes, . . . conventiones vero oblata spontanea*"; *Dial.* 142.

<sup>2</sup> *Id.* 121, 135, 136, 149, 157; Pollock and Maitland, *English Law*, II. 513-515.

<sup>3</sup> "*Non tamen ut fiat, ne in nos incandescas et venalem pene eum justiciam dicat (sic), immo ut sine dilatione fiat*"; *Dial.* 154.



These *Oblata* or fines for favours are the disgrace of the Anglo-Norman Governments, as we shall see.

XI. *Auxilium—Donum.* *Auxilium* is the term properly used of the three feudal Aids, to marry the eldest daughter, knight the eldest son, or ransom the lord, and so, if not a honorific term, implied no servility, but quite the contrary. *Auxilium* and *Donum* were euphemistic terms, used indifferently, to denote quasi-voluntary contributions, like the Benevolences of later ages, whether from counties, towns, or individuals. Under Henry I *Auxilium* is the term; *Donum* is the word with Henry II. But whether *Donum* or *Auxilium*, a distinction is drawn by our writer between the cases of a simple undisguised assessment, laid by the Justices on the hidage (tallage), and that of suitable gifts offered by a town to the King on some special occasion. In the former case payment could be extorted in full; in the latter case considerable indulgence might be shown.<sup>1</sup> When we come to Henry II we shall find that while in communication with the communities or individuals paying these contributions they are politely styled *Dona*; on the Pipe Rolls they are entered under the simple head of tallages.

XII. *Aurum Reginæ.* Queen's Gold. This was an extra tax on voluntary offerings (*qui sponte se obligant*); and on amercements on Jews and coiners, the rate being one mark of gold, or £6 of silver, on every hundred marks (£66 13s. 4d.) and upwards, say, something between nine and ten per cent. The question as to payment on sums below one hundred marks was left open for a time. Eventually it was settled at £10 per cent. on all sums, and so it remained down to the time of Charles I. The demand for the Queen's Gold was not among the summonses of the Exchequer; the Queen's clerk attended, to add his summons to those put in by the Treasurer for the King's demands.<sup>2</sup>

XIII. Last of the heads of income for which the sheriff can be called to account is the Danegeld, of which the reader has heard already. In this connexion we may notice the direction regularly given in charge to the Itinerant Justices, to look after the state of the hidage or carucates, as a basis for assessment.<sup>3</sup>

The question how far the Exchequer system described in the

<sup>1</sup> *Dial.* 145.

<sup>2</sup> *Id.* 156, 157, and notes, 238.

<sup>3</sup> So Hoveden, IV. 62. The writer was Justice in Eyre more than once.

*Dialogus* should be considered of native or foreign origin has been disputed.<sup>1</sup> The *abacus*, which "rendered that system of accounts possible", of course came to us from France. But we have pointed out various features of our system that were clearly of home-growth. No evidence of the existence of an Exchequer in Normandy before the year 1130 seems to have been discovered. But about that time we find John Bishop of Lisieux at the head of the Norman Treasury, a man who had been trained in England, and in constant association with Bishop Roger of Salisbury who had reorganized the English Exchequer. Thus "the process is from England to Normandy, not from Normandy to England".<sup>2</sup>

A separate financial department, independent of the Exchequer, of which the *Dialogus* tells us nothing, was that of the *Camera Regis*, or King's Privy Purse, an institution of much older date than the Exchequer, possibly of older date than the Treasury. The *Camera* or Chamber, like the later Household, was fed partly by revenues affected to it, partly by transfers from the Exchequer. On the Pipe Rolls at times we shall find a Crown debtor turned over, "*attornatus*", to the *Camera*, to answer there instead of settling at the Exchequer. The transfers from the Exchequer are so irregular and intermittent that without private resources the Chamber could not have maintained a continuous existence. In early ages, Kings, like private individuals, were supposed to keep their current cash in their bedrooms. Accordingly, at the head of the Chamber staff we find a Chamberlain with *clerici* under him. From this original connexion with the Privy Purse, 'Chamberlain' became a title applicable to other revenue officers, like the Chamberlains of the Exchequer.<sup>3</sup>

The fact that the Chamber enjoyed special revenues of its own brings us to the fact to which we shall have often to refer, that the official accounts of Pell and Pipe Rolls do not show the whole of the revenue; and that a further unknown and unknowable grand total must be recognized.

<sup>1</sup> Stapleton, *Magn. Rot. Norm.* I. xv, and Bishop Stubbs, *C.H.* I. 474, contend for an English origin. *Contra* Gneist, *Eng. Verwalter Recht.* I. 202, mainly on the strength of the Latinity of the terminology of the Exchequer.

<sup>2</sup> Lane Poole, 57-59, and the authorities there cited; Round, *Engl. Hist. Review*, XIV. 417; C. H. Haskins, *id.* XXIV. 209.

<sup>3</sup> On the subject of the *Camera* see Tout's *Medieval Administrative History*, I. 84-118.

## HENRY I

*Crowned 5th August 1100 ; died 1st December 1135*

WE have looked forward to the reign of Henry "*Beauclerc*" as a starting-point for the financial history of our Kings. But, thankful as we are for one year's Roll of accounts, even though an imperfect one, it can but give a moderate insight into the finance of five-and-thirty years marked by repeated war and troubles, at home and abroad. Henry laboured under the disadvantage of a defective title. But if he was strictly speaking a usurper, he soon showed himself to be the one indispensable man, both for Normandy and for England, if either country was to be rescued from baronial licence and general anarchy. Henry never spared himself ; seven visits or expeditions to Normandy are recorded of him, all of them involving military preparations, and most of them actual hostilities. Besides these we hear of three domestic wars against rebellious barons or Welsh Princes. His sojourns in Normandy make up fifteen years of the reign.

Turning to our Pipe Roll 31 Henry I, covering the financial year from Michaelmas 1130 to Michaelmas 1131, we may point out that that was a time of quiet, both at home and abroad, marked by attention to ecclesiastical affairs, and a fresh settlement of the Succession. This was marked by the render of fresh homage by the baronage to the Empress Matilda, as the King's heir.<sup>1</sup> The year therefore cannot be considered a typical one, but rather one of moderation, and relaxation of taxation. Its figures would not apply to years when special windfalls or dues fell in, nor to years specially deplored by the chroniclers as years of grinding taxation. The total that we find paid or accounted for comes to £25,464 3s. But eight counties, including Somerset, Worcester, Hereford, Chester, Westmoreland, and Cumberland are either missing or imperfect. For these we might add a conjectural estimate of one-eighth, say £3,000.

<sup>1</sup> The presence of the Imperatrix in England is specially noticed on the Roll, p. 157.

But the Northern counties would not count for much, and £2,000 should be enough.

Examining the several sources of the revenue, we find it convenient to arrange them under four heads, namely, I. County and Borough Farms and land returns; II. Danegeld; III. Sees in hand; and IV. forfeitures, amercements (*misericordiae*) *Dona*, *Auxilia* and fines; the class including all the items that appear on the Roll under the heading of "*Placita Oblata et Conventiones*"; where *Placita* refer to legal penalties (*misericordiae*); *Oblata* include *Dona* and *Auxilia*, gifts and offerings, while *Conventiones* represent fines. The term "fine" will be limited by us to voluntary arrangements, bargains with the King, implying a "*quid pro quo*".

Receipts from Reliefs, and the incidents of Wardship and Marriage might seem to fall properly under our first head as returns from the land. But the King's dealings in such matters were so arbitrary that we class them as fines under our No. IV head. The class will also include any miscellaneous payments or emoluments not falling under any special head. Further analysis would scarcely repay the labour involved. Neither scutage nor legal Aid (such as "*Pur fille marier*") appears on the Roll.

I. The reader has heard that County and Borough Farms include all lands and Crown rights farmed by the sheriffs or others, with all Honours and estates, large or small, in hand; all receipts from *Census Forestarum*, purprestures or other direct profits of landownership. Our figures treat as revenue all outgoings and standing charges paid by the sheriffs, except the *Terrae Datae*, that is to say the lands alienated by the King. But these so far only amount to the trifling sum of £41 6s. 8d. With some arrears to be accounted for the total paid in or accounted for comes to £11,082 9s. 8d. We append a Table of the actual County Farms as found on our Roll. Lincolnshire heads the list, with £734 19s. 3d. accounted for; odd as it may seem, Dorset and Wilts only fall £23 12s. 3d. short of it; Hants comes next with £676 6s. 10d.; London and Middlesex have four sheriffs and return £538 15s. 1d., a few pounds more than Berks and the linked counties of Essex and Herts; Cumberland accounts for a 'cornage' or cattle tax, besides a very moderate farm, £136



in all ; but Sussex comes out as the poorest of counties, farmed out for £33 6s. 8d. A further trifling addition to be made to our first head remains in the Combustions, of which we heard so much in the *Dialogus*. Combustion was the surtax on so much of the farms as had to be paid in blanché or tested silver. This money was affected to a special fund, the *Exitus Thesauri*, and so did not appear on the Pipe Rolls.

Sometimes, by special arrangement with the Treasurer, Combustions were paid to him—presumably without any assay—at a composition of from 6d. to 12d. on the £1. For official returns of the Combustions paid into the *Exitus Thesauri* we are dependent on schedules attached to the Chancellor's Rolls, but these for our period are not forthcoming. As a conjecture we will allow £100 for this troublesome item.

II. Danegeld. We have seen that, so far as our evidence goes, this tax, down to the time of Henry I, was only levied occasionally in times of stress, as a war tax, the rate being variable. Henry seems to have made the impost annual, and to have fixed the amount at 2s. the rated hide. The rate does not appear on the Roll ; but it has been given to us by the *Dialogus* and by Henry of Huntingdon.<sup>1</sup> That the tax was levied annually appears from their statements, and also from frequent references on the Roll to arrears from previous years, and on that footing the Danegeld of Henry I has been accepted by scholars.<sup>2</sup> If, as appears in Domesday, the hide was estimated as worth about £1 clear per annum, two shillings on the hide would amount to ten per cent., a terrible tax. But the rated hide might include a good deal more than the 120 acres of the agricultural hide. Anyhow we find Danegeld very badly paid, and extensive remissions of it granted. No Danegeld is returned from Durham, Cumberland or Westmoreland. The account stands as follows :

	£	s.	d.
Paid in . . . . .	2,498	3	3
Remitted . . . . .	1,785	0	0
Still due . . . . .	146	0	0
	<hr/>		
	4,429	3	3

<sup>1</sup> " *De singulis hidis . . . duo solidi* " ; *Dial.* 101. " *Duos solidos ad hidam* " ; H. Hunt, p. 258 and A. D. 991.

<sup>2</sup> Stubbs, C.H. I. 411 ; Round, Feudal England, 55. The *Leges Henrici Primi* give the rate 1s., but levied annually, cap. 15.



These figures suggest an original assessment of £5,000. A point to be noticed is the fact that among the liberal remissions of Danegeld to individuals we have bishops and barons among the favoured parties. But we have heard that Church lands and the demesnes of barons were exempt. We must therefore suppose that the King's pardons applied to lay fees held by ecclesiastics, and lands that were not strictly demesne lands, but lands held by under-tenants. Perhaps Henry refused to recognize the general exemption of Church lands and made a favour of granting exceptions at will.

III. Sees in hand. If Henry, in levying Danegeld annually, started a practice of his own, in laying hands freely on Church property he was only following the bad precedent of his elder brother. Only one See was accounted for at Michaelmas 1131, namely Durham, vacant since the death of Flambard in 1128. But small arrears from Coventry (Lichfield), Hereford, Sarum, and Chertsey Abbey suggest what the harvests of previous years might have yielded. Coventry might have been in the King's hands from September 1117 to March 1121; and again from August 1127 to December 1129. So with Hereford from 1127 to 1131. The arrears from Sarum must have been carried over from the early days of the reign, as the See had been held by the great Bishop Roger since 1107.<sup>1</sup> In that year five vacant Sees were filled all at once, Winchester being still left vacant, and having been vacant eight years. Again we have the Primacy left without a head for four years, but we have no evidence that the revenues were impounded. Thus our Table shows the modest total, as we must call it in comparison with those to be found under later years, of £935 10s.

	£	s.	d.
Durham (farmed out) arrears of two years ( <i>Vetus Firma</i> ) paid in or accounted for . . . . .	534	10	8
Do. current year ( <i>Nova Firma</i> ) . . . . .	382	4	5
Coventry, arrears . . . . .	4	16	8
Hereford, do. . . . .	4	12	6
Sarum, do. . . . .	8	0	0
Chertsey, do. . . . .	1	5	9
	<hr/>		
	935	10	0

<sup>1</sup> For all these dates see Bishop Stubbs, *Registrum Sacrum*.

IV. *Placita Oblata et Conventiones*. Under this important heading we sweep in all fines, forfeitures, amercements, *Murdrum*, *Dona*, *Auxilia*, Reliefs, Wardships, Marriages, Forest penalties; and all the miscellaneous items enumerated in the *Dialogus* down to Queen's Gold; while, finally, we include any emoluments that have not found a place under any one of our previous heads. The inclusion of Reliefs, Wardships and Marriages is justified by the arbitrary nature of the terms imposed by the King. Broadly speaking, with him anything might be bought or sold. Robert of Oilly, Sheriff of Oxfordshire, owes 400 marks (£266 13s. 4d.) as a "gersum" (Scottish "grassum") for the county.<sup>1</sup> Fines for the decision of landed rights are of constant occurrence; payments by heirs of Reliefs for admission to their inheritances (*Pro terra patris habenda*) are among the most legal payments: so Countess Lucy, widow of Earl Ralph of Chester, pays in £166 13s. 4d. on account of her father's lands; while her son Earl Ralph II owes £1,000 for his father's debt in respect of the lands of Earl Hugh, a predecessor.<sup>2</sup>

Fines for leave to marry, and sometimes, from women for leave to remain single, are among the most common *Oblata*. The sums offered vary with the rank and means of the petitioner. Robert of Lusores pays £4 on account of £8 6s. 8d. for leave to marry the sister of Ilbert de Lacy; while Gislebert of Maisul tenders £6 13s. 4d. to be allowed to marry at will.<sup>3</sup> Countess Lucy, again, offers 500 marks (£333 6s. 8d.) not to be obliged to marry again within five years; she further owes £66 13s. 4d. for leave to hold her own private franchise court over her men.<sup>4</sup>

The Jews, again, appear as a special source of income. Our head includes both payments for amercements imposed on them, and fines for help to be given for or against them, in money matters. In this respect the King showed a laudable impartiality; his hand was open to receive from all quarters. Richard fitz Gislebert had promised—only promised—Henry 200 marks for help against certain Jews in the matter of a debt.<sup>5</sup> Better advised, the Jews Rubi Gotsce, Jacob and Manasser pay the

<sup>1</sup> Pipe Roll, 2.<sup>2</sup> Id. 110.<sup>3</sup> Id. 8.<sup>4</sup> "*Ut possit tenere rectum in curia sua inter homines suos*", p. 110.<sup>5</sup> Pipe Roll, p. 53.

King £24 down for help against Richard fitz Gislebert—two to one on the Jews. On the other hand, we hear of the collective Jewry of London being under an amercement of £2,000 for a sick man alleged to have been killed by them.<sup>1</sup> Perhaps he had been under medical treatment by an Israelite. According to Richard fitz Neal, if Rubi Gotsce and his partners had been practising public usury, as probably they had, all their goods would be forfeit to the King. But from later Rolls we gather, as already mentioned, that the usual system was to allow them a pretty free hand during their lives, but to pounce on their property at their deaths, calling in strictly all money due to them.

A case of buying the King's help, not open to objection, appears in the offer of the men of Gloucester, who promise Henry £20 if his Justices will recover for them some money taken from them in Ireland, probably the plunder of a ship.<sup>2</sup> But the fines taken by the King for interference in legal proceedings have long been held up to opprobrium. "Justice was avowedly bought and sold. The bribes given for the expedition, delay, suspension, and, doubtless, for the perversion of justice, as entered on the Rolls, remain as monuments of the iniquity and tyranny of the times."<sup>3</sup>

With regard to *Auxilia* and *Dona*, these were practically forced contributions, veiled under euphemistic names. Under Henry II we shall find them frankly returned by the sheriffs as tallages. The towns were reckoned part of the King's demesne, and, as such, could be tallaged. But the term was offensive as implying unfree birth, and so the requests for money addressed to the towns were politely styled *Auxilia*, a term applicable to legal demands, such as the three special feudal Aids. As to the counties and landowners, not liable to any tallage, their subventions had to be spoken of as gifts, purely voluntary. But the amount from this source only comes to £436 5s.

No Judicial Iter appears to have been held during the period covered by our Roll; but we have numerous arrears of the yield of circuits held by Geoffrey Clinton. We hear of an Audit held at Winchester by the Earl of Gloucester and Brian fitz Count; when they allowed £4 4s. to an accountant, *sine talea*, to make

<sup>1</sup> Pipe Roll, 148, 149, "*Pro infirmo quem interfecerunt*".

<sup>2</sup> Id. 77.

<sup>3</sup> Hume, England, II. 131 (ed. 1782), under the reign of Henry II.

up the full amount due (*ad plenum numerum*).<sup>1</sup> We find the word *foris factura* sometimes used to denote an amercement, the original idea of complete forfeiture not having yet passed out of mind.

We have £26 13s. 4d. entered as due by the Abbot of Fécamp for his half-share of the dues on shipping (*thelonium navium*) at Winchelsea.<sup>2</sup>

Altogether our fifth head produces the large sum of £10,055 5s. 2d., within £1,500 of the yield of the County and Borough Farms.

Facts of interest could be culled from every membrane of our Roll; we close with two. Robert of Bellême, "the worst character in Europe", finally taken prisoner in Brittany and sent to Wareham Castle, has £18 5s. a year allowed for his maintenance, say a shilling a day with £2 for clothing.<sup>3</sup>

£25 are given for building two of the arches of London Bridge; but this great work has commonly been dated fifty years later.<sup>4</sup>

Of scutage or commutation for military service we seem to hear nothing during this reign. But a Lewes Charter granted by Henry (Vespasian F. III. 2) speaks of scutage as current in 1100. William Giffard was still Chancellor, as under Rufus, so that the levy may have been an arrear of his time.<sup>5</sup>

We have spoken of our year's revenue as a moderate one. The returns from the vacant Sees must have been exceptionally low. Before the five bishoprics were filled they must have reached £3,000 and upwards, as we shall see under the Second Henry. He not only impounded the revenues of vacant Sees and Abbeys, but also considered himself the general heir of wealthy ecclesiastics; whatever they leave may be swept into his coffers. So he dealt with Ralph Flambard's money.<sup>6</sup> These pickings must have come to something considerable. Between the years 1110 and 1112 he received the Aid due for the marriage

<sup>1</sup> Pipe Roll, 130, 131.

<sup>2</sup> p. 71.

<sup>3</sup> Pipe Roll, 12. See Foundations, I. 270.

<sup>4</sup> Id. 144. See Wheatley and Cunningham, London.

<sup>5</sup> W. A. Morris, Eng. Hist. Rev. XXXVI. 45.

<sup>6</sup> Symeon, H.D.E. Cont. 141. See our Pipe Roll, 14, 74; persons with moneys of the Bishop in their keeping called to account for them. The Peterborough Chronicle (D) groans over the "gyld" for the daughters "gyfte", A. D. 1110.

of his daughter Adelaide, otherwise Matilda, the rate presumably being £1 the knight's fee. At the rates partly of £1 the knight's fee, and partly of a mark (13s. 4d.) the knight's fee, we shall find the legal Aid for the marriage of Henry II's daughter Matilda, amounting, with numerous remissions and arrears, to £2,608. If Henry I had also the Aid for the dubbing of his son, the two taxes might easily have reached £5,000-£6,000. Altogether it does not seem too much to say that Henry's income might have reached at times £30,000.

In the year 1108 the state of the currency was so bad as to render a general re-issue necessary. No change was made in the coinage,<sup>1</sup> but a re-coining presumably would bring a rich harvest to the fisc.

Of Henry's continental revenues nothing is known. Our estimate of the revenues of the thirty-first year of Henry I (1130-1131) will stand as follows :

	£	s.	d.
I. County and Borough Farms and land returns	11,082	9	8
II. Danegeld . . . . .	2,498	3	3
III. Sees in hand . . . . .	935	10	0
IV. " <i>Placita Oblata et Conventiones</i> " (Legal Penalties, Fines and Tallages) . . .	10,055	5	2
Combustions, say . . . . .	100	0	0
Missing Counties, say . . . . .	2,000	0	0
	<hr/>		
	26,671	8	1

<sup>1</sup> Ruding, *Annals of Coinage*, I. 163.



TABLE  
COUNTY FARMS, 31 HENRY I  
(From the Pipe Roll, Hunter)

	£	s.	d.
Notts and Derby . . . . .	313	18	0
Dorset and Wilts . . . . .	711	7	0
Yorkshire . . . . .	434	17	0
Hants . . . . .	676	6	10
Surrey, Cambridgeshire, and Hunts . . . . .	442	1	3
Gloucestershire . . . . .	312	14	1½
Northants, Leicester, and Warwickshire . . . . .	391	17	11
Lincolnshire . . . . .	734	19	3
Berks . . . . .	521	13	2
Devon . . . . .	245	5	3
Essex and Herts . . . . .	528	19	5
London and Middlesex . . . . .	538	15	1
Kent . . . . .	471	15	11
Sussex . . . . .	33	6	8
Stafford . . . . .	124	7	1
Cumberland . . . . .	56	2	4
Do. cattle tax . . . . .	80	8	8
Cornwall . . . . .	66	8	2

## STEPHEN

*Crowned 22nd December 1135 ; died 25th October 1154*

OF the finance of the anarchy only a conjectural estimate can be offered. No records of the time have come down to us. The district on which Stephen could draw was extremely limited. It would be restricted on the south coast to Hants, Surrey, Sussex, and Kent ; these with London forming the real seat of his power. In the Midlands Roger of Beaumont, Earl of Warwick, as a supporter of Matilda, might be set against the Royalist Beaumont, Robert II, Earl of Leicester ; the Thames Valley likewise was divided ; the Empress commanding Wallingford, the King Reading and Oxford. East Anglia was in the hands of men either openly hostile or covertly disloyal. The Earl of Chester, Randolph of Gernons, lorded it over a district described as equal to one-third of England. His rule would be exercised entirely on his own account. The See of Durham went with Stephen ; but Northumberland and Cumberland, under their Earl (Henry of Scotland), would hold themselves ' of the obedience ' of Matilda. The state of the country, devastated by petty warfare and almost depopulated, was utterly unfavourable to the raising of taxes or contributions of any sort.

But as London was in Stephen's hands, there was no reason why the Exchequer should be closed, and there are facts clearly showing that it was not closed. Matilda, in her charter of Midsummer 1141 to Geoffrey of Mandeville, Earl of Essex, among other things grants to him and his heirs the sheriffdom of Essex in fee, at the farm at which the same was held at her father's death.<sup>1</sup> But she authorizes him to withhold the farm of Maldon and Newport, which she had conferred upon him—clearly *Terrae Datae*—as well as the Third Penny of the county to which he was entitled. Again, in her charter of Christmas

<sup>1</sup> " *Reddendo rectam firmam quae inde reddi solebat die qua rex Henricus pater meus fuit vivus et mortuus*", &c. Round, Geoffrey of Mandeville, 92 ; Engl. Hist. Rev. XIX. 634.

1141 to Geoffrey, with reference to the same conferred lands, the same *Terrae Datae*, she says more specifically that the value of them should be allowed to him at the Exchequer.<sup>1</sup> This clearly reveals the continuance of the ordinary system of accounting. On the Pipe Rolls of the next reign we have further indications to the same effect. At the accession of Henry II we shall find business started at once, and a Pipe Roll compiled with *Decimae Constitutae*, *Liberationes Constitutae*, *Terrae Datae*, and everything else in regular form, under the experienced presidency of Bishop Nigel of Ely, father of Richard of the *Dialogus*. The Pipe Roll in question covers only three-quarters of a year, and the total paid in or accounted for comes to £4,688 11s. 9d.<sup>2</sup> If Stephen at the last fared as well as Henry fared in his first nine months, he might perhaps have enjoyed an income of £2,000 a year, or a little more.

The currency, like everything else, was in confusion through the varying issues of the private mints. Stephen has been taxed with issuing debased money. "No debased money is now known to exist, and most of Stephen's own coins are not very far from the legal weight, 22½ grains. Some, however, do fall very short of this, and so do all the baronial coins, with the sole exception of those of the Earl of Warwick."<sup>3</sup> It also appears that the hostile barons defaced Stephen's pieces by over-striking his effigy with a cross.<sup>4</sup>

<sup>1</sup> "Ita quod . . . a firma praefata subtrahatur et illi et heredibus suis ad scaccarium computabuntur", p. 142. With regard to the *Terrae Datae* of Stephen see Gerald of Barry, VIII. 316 (*De Instr. Principis* Rolls ed.).

<sup>2</sup> See the Roll as printed by the Pipe Roll Society, and so throughout the reign.

<sup>3</sup> Hawkins, *Silver Coins*, 177.

<sup>4</sup> *Ex relatione*, H. A. Grueber, Esq., F.S.A., of the British Museum.

## HENRY II

*Crowned 19th December 1154 ; died 6th July 1189*

### I HENRY II

A. D. 1154-1155. With the coronation day the finance of the reign duly made its start. Nigel, Bishop of Ely, appointed Chancellor at the first, was shortly transferred to the Exchequer, where his acquaintance with the routine of the time of Henry I, the *scientia scaccarii* of the *Dialogus*, would be invaluable. Under his guidance the business of the Exchequer was resumed, and a Pipe Roll compiled at Michaelmas for the three quarters of the year that had elapsed.<sup>1</sup> The original has not been preserved ; but we have a transcript taken by the care of Alexander Swereford, Archdeacon of Salop, and Canon and afterwards Treasurer of St. Paul's, a man of an antiquarian turn of mind, who had been employed in the Exchequer under Richard I and John, and has preserved for us in his celebrated Red Book of the Exchequer a number of most valuable writings and documents.<sup>2</sup> On the Roll only twenty-four sheriffs appear, with the Bishop of Chichester accounting for Sussex, and Bosham the Provost of Lincoln for his city, and a burgher for Northampton. In many cases the proffer is merely formal, the sheriff stating that a certain sum is due, but rendering no account of it. The transcriber tells us that he omits the accounts of Windsor Forest, Bray, and Newport ; some particulars of expenditure are also left out, but with the above exceptions

<sup>1</sup> "*De tribus partibus [anni] post coronationem Regis*", Red Book Exchequer, II. 650 (Rolls Series, No. 99, H. Hall).

<sup>2</sup> Swereford wrote the Introduction to his Red Book of the Exchequer in 1230; I. 4 ; he died in 1247, his death being recorded by Matthew Paris ; he speaks of having quarters in the Exchequer buildings at Westminster. See generally Vol. I. xxxviii. Valuable as his extracts are, his own notes must be received with caution and are often misleading. The book was kept at the Exchequer, and was posted up at times by later hands, with some entries as late as the sixteenth century. See the Table of Contents, I. lxxviii.



all payments into the Exchequer seem fully given, and these amount to £1,638 11s. 9d., of which £280 2s. 11d. were paid not into the Treasury, but into the *Camera Curiae*, or King's Privy Purse, an institution of which we now hear for the first time. The returns are solely from the County and Borough Farms, without sundries of any sort; but we have the usual allowances, *Decimae Constitutae*, and *Liberationes Constitutae*, and *Terrae Datae*, showing, as already pointed out, the continuance of an established system. Large allowances also have to be made to the sheriffs on account of the devastated state of the country ("in vasto"), with credits for restocking and repairs.<sup>1</sup> For the Combustions or extra payment required on accounts that had to be settled in 'blanched' money, we will take £60 at a guess. It must be borne in mind that only a part of the Combustions was paid into the *Exitus Thesauri*, part being accounted for on the Rolls. Our year's total therefore will stand as follows:

	£	s.	d.
Paid into the Exchequer or accounted for . . . . .	1,688	11	9
Combustions . . . . .	60	0	0
	<hr/>		
	1,748	11	9
	<hr/>		

The striking feature of the account as a whole is the amount of the *Terrae Datae*. In the 31st of Henry I they only amounted to £41 6s. 8d. Now we find that within these few months lands to the value of £2,450 17s. have already been either 'extorted from the necessities or lavished by the generosity' of the young King. Chief of those who profited were Count Dietrich of Flanders, married to Sibylle of Anjou, and 'Earl' Reginald, otherwise Reginald of Dunstanville, a natural son of Henry I, created Earl of Cornwall by Stephen, and recognized as such by Henry. The benefactions conferred on this man were the foundations of the later Duchy of Cornwall. The King's brother William of Anjou was another man liberally endowed. From Gerald of Wales (*Giraldus Cambrensis*) we learn that Henry's

<sup>1</sup> See the interesting Tables compiled by H. C. W. Davis from the Pipe Roll 2 Henry II (Eng. Hist. Rev. XVIII. 634), showing that in some counties the waste extended to a third or a half.

*Terrae Datae* had been largely handed down to him, a proof of the continuity of the Exchequer system, as we have pointed out.<sup>1</sup>

Swereford notes that no grants had yet been made (*non dabantur*) in Yorkshire, Notts, Derbyshire, Devon, or Somerset.

Reverting to the matter of the Combustions, it may be as well to point out at the outset that at the maximum rate of the shilling in the £1, if Combustion were to be paid on the whole of the blanchéd farms, without one acre of Crown land having been alienated, or one shilling left unpaid, the total for blanching would only amount to £593 8s. 1d.; while already lands to the value of £2,450 17s., representing some £98 of blanching, have been sacrificed, reducing the maximum possible to £495 8s. 1d., and that to be shared in a haphazard sort of way between the Exchequer and the *Exitus Thesauri*.

## 2 HENRY II

1155-1156. Thirty-two counties appear to render account, and the Pipe Roll shows returns not only from the primary sources of revenue, the County and Borough Farms, feudal incidents, and the *Placita* or profits of the administration of Justice, but also from a variety of other sources, including Danegeld, scutage from ecclesiastics, with imposts on counties and boroughs passing under the specious names of *Dona* and *Auxilia*, but simply in fact tallages. The scutage from the clergy, of course, was only claimed in respect of the lay fees held by them; the rate was £1 the knight's fee.<sup>2</sup> The money was not wanted to meet any domestic trouble, but for an expedition abroad against the King's brother Geoffrey, who under their father's will was raising in Anjou claims disputed by Henry.<sup>3</sup> In connexion with scutages we shall find it a regular practice on Henry's part to call for an *Auxilium* i.e. *Donum* whenever he had occasion to call for a scutage, so as to bring all classes of the community into contribution. A *Donum* might be demanded when there was no scutage in question, but the chief tallages were always levied in connexion with scutages.

<sup>1</sup> *De Prin. Instr.* III. 30, cited Lane Poole.

<sup>2</sup> Ramsey Abbey owed for four knights, and paid £4, p. 14; the Bishop of London owed for twenty knights, and paid £20, p. 18.

<sup>3</sup> Stubbs, *Const. Hist.* I. 491; Round, *Feudal England*, 274.

With respect to *Donum* i. e. *Assisa* and *Auxilium*, as here used, we may again point out that they were in reality convertible terms, euphemisms, used to gloze over the arbitrary character of the imposts; later we shall find them plainly described as tallages. On one pipe or membrane of our Roll we have the "*Assisa Comitatus*" of Suffolk, and the "*Auxilium*" of Ipswich, the latter becoming the "*Assisa*" of Ipswich a few lines lower down. So again we have the *Auxilium* of the borough of Huntingdon, and the *Donum* of the county.<sup>1</sup> In practice, however, it will be found that there was a material difference in the stringency of the enforcement of county and borough dues; the former were always treated with leniency, while borough debtors could be promptly sold out of house and home, as stated in the *Dialogus*.<sup>2</sup>

The *Assisa* = *Donum* = *Auxilium* should be distinguished from the *Assisa pro misericordia* or *pro defalta* sometimes laid on a county or Hundred for some general misdemeanour; the latter would be penalties of a judicial character, and not altogether to be regarded as arbitrary. In the case of *Assisae* of either sort we further learn from the passage in the *Dialogus* above cited that a lump sum would be fixed and then apportioned according to the hidage, sometimes by commissioners, sometimes by the people themselves. Under most of the heads on the present Roll, except scutage, there are large 'pardons'; and the allowances for wasted lands and expenditure on repairs are much larger than in the previous year; the country was still in a wasted and impoverished condition, unable to stand much taxation. The scutages and *Dona*, &c., stand as follows:

	£	s.	d.
Scutage . . . . .	491	9	4
<i>Auxilium</i> = <i>Donum</i> . . . . .	1,663	6	3

The remissions of Danegeld run from a quarter to a half, and in a few cases to more than the whole of the sum exacted. Again, as under Henry I, we must call attention to the 'remission' of the tax in favour of ecclesiastical Houses that ought not to have been taxed at all, as for instance, the specially favoured monks of Bec.<sup>3</sup> *Assisa* = *Donum* or *Auxilium* are taken from all

<sup>1</sup> Pipe Roll, 9, 14.

<sup>2</sup> pp. 144, 145.

<sup>3</sup> Pipe Roll, p. 5 (Hunter).

the towns, and from all the counties, except three, where we have an *Assisa Comitatus* instead. In two of the counties we are told that the impost was assessed by the Chancellor (Thomas Becket) and Henry of Essex, the Constable, as Itinerant Justices. The assessment for the *Donum* from the counties (not the amount paid) is given in full by Mr. Maitland, and amounts to £2,077, as against the Danegeld which he brings out as amounting to £5,135. He regards the *Donum* as "so constructed as to redress in a rude fashion the antiquated scheme of the Danegeld", those counties being now most heavily taxed that had been too favourably treated before.<sup>1</sup>

The previous year we were told that no grants had been made in Yorkshire, Notts, Derbyshire, Devon, or Somerset; now all but Derbyshire appear in the list. We have taken out the total of these grants, and then distinguishing those lands where the rents had been payable in blanché coin from those where the rents had been payable in current coin (*numero*), we find that it comes to £2,956 6s. 8d. Of this sum £1,988 16s. 4d. had been payable in blanch, involving Combustion to the amount of £99 8s. The total possible for Combustion therefore, which originally stood at £593, would now be reduced to £493 4s. But several counties had yet to come in. On the whole we will allow £173 for the share of the Combustions paid into the *Exitus Thesauri*. Our total therefore stands thus:

	£	s.	d.
Paid into the Exchequer or accounted for . . . . .	12,548	0	0
Combustions . . . . .	173	0	0
	<hr/>		
	12,721	0	0

<sup>1</sup> Domesday and Beyond, 174, and the Table there giving the assessments for Danegeld and *Donum*.

## 3 HENRY II

1156-1157. Financially this was a very quiet year, no extra taxes of any sort appearing on the Roll, except one payment of two marks (£1 6s. 8d.) from the Abbot of Abbotsbury as a scutage for an expedition into Wales undertaken in the course of the year. The Abbot was only liable for one knight's fee;<sup>1</sup> he ought therefore to have been charged £1. The occurrence of a solitary payment of such a tax as a scutage, at a novel rate, suggests that the tax must have been called for much more extensively than appears on the Roll, unless indeed other tenants were called upon for service in person. But taking the Roll as we find it we have extensive remissions of arrears of Danegeld, *Donum*, and the like, and so the total only shows just the ordinary receipts, namely those from the County and Borough Farms and Forest receipts, with a few *Placita* and *Murdrum* amercements, the latter again extensively remitted. The total comes to £7,938 16s. 5½d. The County Farms alone by Mr. Turner's figures, which are not quite complete, should have amounted to £11,000. From these, however, the *Terrae Datae* would have to be deducted, and these we now find to amount to no less a sum than £3,220 10s. 1d., the current of the young King's liberality still running strong. Deducting these, the County Farms alone should have brought in £7,779 9s. 11d.

If scutage at the rate of two marks the knight's fee had been exacted from the bishops and abbots only, without any of the laity, the revenue would have benefited to the extent of upwards of £700.<sup>2</sup>

With respect to the Combustions we have illustrative cases showing the percentage at the rate of 1s. on the £1. A sheriff who owed £15 'blanch' pays in £15 in tested silver (*argento*), and is credited with payment of £15 15s.<sup>3</sup> We will therefore allow say £173 for Combustions. Our year's account then will stand thus:

	£	s.	d.
Paid into the Exchequer or accounted for	7,938	16	5½
Combustions	173	0	0
	8,111	16	5½

<sup>1</sup> See the Table of knight's fees given by Mr. Round, *Feudal England*, 278.

<sup>2</sup> See Round's *Tables*, *Feudal England*, 278.

<sup>3</sup> I have lost the reference, but see p. 72 of the Roll to the same effect.



## 4 HENRY II

1157-1158. Durham still stands apart as a County Palatine ; but Northumberland and Cumberland fall into line, raising the number of accounting counties to thirty-four. The recovery of these important districts had been the work of the previous summer. Carlisle, with Cumberland and Westmoreland and Doncaster had been granted in 1136 by Stephen to Henry, the son of David I of Scotland, together with the Earldom of Huntingdon, previously held by David himself. In April 1139 the Earldom of Northumberland, with the exception of Bamborough, Newcastle, and the patrimonies of St. Cuthbert and St. Andrew's Hexham, were further conferred on Henry of Scotland by Stephen, at the instance of Queen Matilda, who was a Scots-woman.<sup>1</sup> David had died in 1153, his son Henry having died before him. The Scottish Crown then devolved on Henry's eldest son, Malcolm IV, surnamed *The Maiden*, a boy twelve years old. " Fiercely attacked by Celtic chieftains in the North and West ", Malcolm had to come to terms with his cousin of England. Travelling at Henry's expense, he joined Henry's Court at Chester ; surrendered the Northern counties, receiving in return the promise of a renewed grant of the Earldom of Huntingdon at sometime previously held by his father.<sup>2</sup> As a further incident of this territorial recovery, Doncaster now appears as an accounting unit—previously it had been referred to as "*Terra Regis Scotie*". Henry's promise was faithfully redeemed in the following year, in the course of the famous expedition against Toulouse, when Malcolm was knighted and invested with Huntingdon by Henry at Perigueux (30 June 1159).

The revenue includes a *Donum*, so styled, from both counties and boroughs, but no scutage or Danegeld, the second year running without any call for the latter tax. *Donum*, like all assessments, was calculated in marks ; it appears that a few counties were spared, and that of the total assessment of

<sup>1</sup> See Foundations, II. 347, 379.

<sup>2</sup> July-August 1157 ; Angevin Empire, 12. The sheriff of Yorkshire paid £123 9s. for the 'corredy' of the King of Scots for 16 days ; the sheriff of Lincolnshire £26, &c. &c.

£2,673 12s. only £1,437 12s. 8d. were paid or accounted for.<sup>1</sup> The same scale of remissions is found with regard to the assessments on the Hundreds for *Murdrum*. The purse of a modern sovereign is protected by the impenetrable hedge of an organized bureaucracy, through which all approaches to the Throne must be made. The easy social life of a feudal Court left the King at the mercy of every importunate beggar. Moreover, the landed classes were always more gently dealt with than the urban classes.<sup>2</sup> Our total revenue comes to £11,437 13s. 8d.; without the *Donum* it would just turn £10,000. For Combustions we will allow £200, our total therefore will stand as follows:

	£	s.	d.
Paid into the Exchequer or accounted for	11,437	13	8
Combustions, say	200	0	0
	<hr/>		
	11,637	13	8
	<hr/>		

## 5 HENRY II

1158-1159. The year is distinguished financially as that of the levy of the tax known in English history as the Great Scutage of Toulouse. It might more correctly be called the Great Tallage of Toulouse,<sup>3</sup> the arbitrary demands utterly outweighing the legal demands. On the Roll the payments are simply entered as *Dona*, that is to say, free-will offerings. To a certain extent the sums demanded are assessed, so to speak, in terms of scutage, and so far may be said to rest on a basis, but a very slender basis of legality. All classes of the community, whether landowning or not, are called on to contribute; the baronage, apparently, being the class the most lightly taxed, and the clergy the class most heavily taxed. Only seven baronial names appear on the whole Roll, presumably because the rest had been called out for service in person, while abbeys that had no military tenants at all are taxed. For the clergy the system of assessment adopted was a very simple one.

<sup>1</sup> Maitland gives the assessment as only £2,070; Domesday and Beyond, 474.

<sup>2</sup> See *Dial.* 144, 145.

<sup>3</sup> See the Pipe Rolls, and *Giraldus Camb.* III. 354, cited Round, "*Auxilium . . . ad expeditionem Tholosanam*".

Bishops and abbots who owed for knight's service were rated at double the amount that they owed, and then charged many times that. The rate was one mark (13s. 4d.) the knight's fee (so the Roll), showing that in fact there was no fixed rate for scutage. To take the first case on the Roll, that of the Bishop of London; he owes for twenty knights;<sup>1</sup> he is rated at forty knights; is charged five times that amount, and accordingly pays on two hundred fees two hundred marks (£133 6s. 8d.), where twenty marks (£13 6s. 8d.) for twenty knights was all that was due. The Bishop has paid ten times what was due. But what is the next item? Why, "*Donum militum ejusdem Episcopi.*" 'The offering of the Bishop's knights.' Their lord having paid ten times what was due, the knights themselves are called on for twice what would be legally due if their lord had paid nothing at all. Under ordinary circumstances the enfeoffed knights, the men who would have to render the service in person if called out, would be the men liable for the scutage, the payment that relieved them of that duty, the lords, of course, being responsible to the Crown for due payment by their tenants.<sup>2</sup> But in this case we take it that the crushing tenfold scutage would fall on the clergy. To take another case, the Archbishop of York owes for seven knights; is assessed at fourteen, and pays on five hundred, or, with a small remission, £332 13s. 4d. His knights, however, come off very cheaply: £9 6s. 8d. is all that is taken from them. The rates apparently varied with what men were supposed to be able to pay; the assessors would contend in the words of a modern Minister of Finance that they were laying the burden on the right shoulders! But the inequalities in the assessments would be very aggravating. "The Bishop of Worcester, in accordance with the protest that he had made from the beginning of the reign, obtained a reduction of his quota from sixty knights to fifty."<sup>3</sup> The Abbot of Peterborough owed for sixty knights, was assessed at one hundred and twenty, but only paid on one

<sup>1</sup> I take the number of knight's fees from Round's Table, Feudal England, 278; the sums paid I take from the Roll.

<sup>2</sup> For the practice of enfeoffing *milites* to relieve the military tenants of their liability to service in the field see Angevin Empire, 11; Round, Feudal England, 246; and below.

<sup>3</sup> Round, sup. 250.

hundred, namely, £66 13s. 4d. On the other hand, his knights had to pay £78 4s. These facts show how fully justified were the protests of John of Salisbury, Becket's friend, and other churchmen of the time, denouncing the whole levy as purely arbitrary.<sup>1</sup>

Theobald the Archbishop of Canterbury was not called on to contribute, nor does the name of Becket appear; but, as Chancellor and the King's right-hand man and favourite, the future champion of clerical immunities must have had as much to do with the assessment as any one.

The laity in general were not so hardly dealt with as the clergy, but they were not spared. Both towns and counties were called upon for special *Dona*. London was assessed at £1,042, and paid down £837 15s. 5d. Of York 200 marks (£133 6s. 8d.) were required; Lincoln paid the same; Oxford £67 6s. 8d.; Colchester gave 20 marks (£13 6s. 8d.). In the counties, in general, we have the sheriff accounting for a general *Donum* from the gentry, the *milites*, with a special offering from himself, usually a very considerable sum. The sheriff of Kent pays in £50 for the county, and £66 13s. 4d. for himself; the sheriff of Yorkshire pays in £170 6s. 8d. on behalf of the *milites*, and £33 6s. 8d. on his own account. The sheriff of Northumberland tenders £70 for the knights and thanes (*taini*) of the county, with £46 1s. 9d. from himself. We seem to have special contributions requested from all persons of rank and wealth. Thus the Jews and moneyers were taxed as men of means; the London Jewry offered £133 6s. 4d. Altogether on the Roll the total amount paid in under the *Donum* we find at £8,267 2s. 2d., the bulk of that being drawn from the clergy and towns. At the stated rate of one mark the knight's fee, the 553½ fees for which the bishop and abbots were liable<sup>2</sup> would yield just £369. The contributions from the seven lay barons whose names appear on the Roll come to £202 1s. 9d. Thus the total that could pass as strictly legal

<sup>1</sup> "Omnibus (contra antiquum morem et debitam libertatem) indixit ecclesiis ut pro arbitris ejus satraparum suorum conferrent in censum"; cited Round, sup. 277.

<sup>2</sup> See Mr. Round's Table, Feudal England, 278.

might show as £571 1s. 9d., say, not £600.<sup>1</sup> Our account then will stand thus :

	£	s.	d.
Legal scutage . . . . .	571	1	9
<i>Donum</i> . . . . .	7,696	0	5
	<hr/>		
	8,267	2	2

A fresh concession to the Scots may be noticed in the grant of £10 *per annum* in Tyndale made to ' the brother of the King of Scots ', i. e. William, afterwards William the Lion.<sup>2</sup> This benefaction was destined long to appear as a Scottish possession in England. Among the *Eleemosynae Constitutae* of the year we have the grant of 1½d. a day—£2 5s. 7½d.—to the Prior of *Monasterium Hederosum*, otherwise Ivy Church, Somerset, endowed by Henry to serve the duty of his chapel at Clarendon.<sup>3</sup> Later we shall find the Prior's stipend raised to 2d. a day, with a penny a day for the Canons. This petty foundation is the only one with which Henry is generally credited. We shall have more substantial benefactions to record ; but in the meantime we must not overlook the grant of £80 a year charged on lands in Berkshire in favour of Reading Abbey, the foundation of Henry's grandfather.<sup>4</sup> With the great *Donum* the year's income rises at a bound to £18,078 3s. 6d. As the *Terrae Datae* go on increasing, £180 will be enough to allow for Combustions.

	£	s.	d.
Paid into the Exchequer or accounted for . . . . .	18,078	3	6
Combustions, say . . . . .	180	0	0
	<hr/>		
	18,258	3	6

Of the grand expedition, the preparations for which had stirred all Europe from the Pyrenees to the Grampians, the young King of Scots having to follow Henry's banner—the acquisition of the city of Coborn and some fortresses on the Vexin frontier were

<sup>1</sup> Round allows as scutage, as distinguished from *Donum*, as much as £2,440, ib. 281 ; but does not explain what he counts as scutage. With respect to the scutage from the clergy I allow as legal just the mark a fee, 13s. 4d., for the fees acknowledged to be due. The barons' fees are not so easy to get at.

<sup>2</sup> Pipe Roll, 13.

<sup>3</sup> Id. 38.

<sup>4</sup> Pipe Roll 2 H. I, 34.



the only gains. The accounts of the year bring into notice an interesting person, a Norman lady, styled the Viscountess of Rouen (*Vicecomitessa Rotham*). Last year she appeared simply as a person receiving handsome sums of money from the King. Now we have her installed in the unprecedented position of a lady farmer of a branch of the revenue, and answering for the dues from the important harbour of Southampton. She was not destined to prove a success. Starting burdened with a debt of £237 4s., handed down by the previous accountant in the usual way, she pays small accounts to the tune of £60-£70 but ends in debt £238 5s. 5d. on her own account. It appears that she had held some office at Rouen.

## 6 HENRY II

1159-1160. This was a quiet year after the financial strain of the last year. Neither Danegeld nor scutage are named; but we have *Donum* from nine counties; and in the case of Wilts an *Assisa*, presumably a penalty for some miscarriage of justice. We also have *Donum* from six boroughs, and with that the total revenue only realizes £10,078 15s. 4d.

We have again taken out the amount of the *Terrae Datae* shown on the Roll, and they amount to £3,943 9s. 6d. in current coin. The sums drawn by the Queen are not inconsiderable, and notably those paid to her on her own order. She appears to have had a free hand in the matter, and must have kept a liberal table from the amount of wine bought in her name. As the King was abroad she would hold Courts in his name. The Queen, however, had taken a trip to Normandy and back in the course of the year.<sup>1</sup> The Roll of the year introduces us to Master Thomas le Brun of the *Dialogus*, as already mentioned, with the handsome salary (*liberatio*) as it is called of £37 14s.; later in the year he receives £5. These must have been extra allowances as his regular salary will be found to be £7 12s. 1d. a year, or 5d. a day.<sup>2</sup>

Both at Easter and Michaelmas we have payments recorded for the transport of treasure, evidently transport from the Exchequer to the Treasury at Winchester.

<sup>1</sup> Pipe Roll, p. 47.

<sup>2</sup> Id, 20, 29, 45.

Last year we had a novelty in the person of the *Vicomtesse de Rouen* appearing as farmer of revenue. Still more startling it is to seem to hear of a Jewish Countess; but our Roll testifies to the payment of £5 by "*David fil' Iudee comitisse*", on behalf of "*Bonenfant*", a brother Hebrew. The Jewish names generally have a French character. On the same page we find 'unlicensed' Jews (*sine warranto*) referred to as liable to a petty fine.<sup>1</sup> On feudal principles the King was supposed to control the marriages of tenants *in capite*, but we have a wayward Jewish lady paying handsomely not to be required to marry one of her own persuasion. ("*Gentill Iudaea debet XV libras ne duceret Iudaeum.*"<sup>2</sup>)

A man whose name is little known to history, but who must have played an important part under Henry II, was William Cade. His ostensible position was that of farmer of the revenues of Dover, perhaps Constable of Dover; but from the beginning of the reign he has been receiving very large sums of money, irrespective of grants of land. His drawings this year amount to £780 and upwards. We shall find grounds for suggesting that these were but repayments on account of financial assistance rendered to Henry in his days of adversity, to be ultimately requited by the confiscation of the property left by Cade.

*Year's Total.*

	£	s.	d.
Paid in or accounted for . . . .	10,078	15	4
Combustions, say . . . .	188	0	0
	<hr/>		
	10,266	15	4
	<hr/>		

<sup>1</sup> Pipe Roll, 33.

<sup>2</sup> Id. 50. The money was paid next year, 7 H. II, p. 60.

## 7 HENRY II

1160-1161. The taxation of the year included scutage at two marks the knight's fee from the clergy, and from the laity, great and small, with the usual concomitant tallage on the cities and boroughs. A justification for the scutage would be found in a threatened breach with France, and an armed demonstration made on the Vexin frontier by Louis VII and his new brothers-in-law Henry and Theobald of Champagne ;<sup>1</sup> but no collision occurred.

We hear that abroad Henry was strengthening his extended frontiers by a system of fortifications. At home we find the same policy pursued, and liberal sums are allowed for works and garrisons at Walton-on-the-Naze, Colchester, and Dover ; with shipping at the latter place, to keep the sea ; we also have works at Canterbury, Pevensey, Southampton, Canterboham, Grosmont, Clun, "Blancmustier" (Oswestry), "Carrecoel", "Witinton", Ruthyn, Wark, Scarborough, besides a gate-keeper and a watchman established at Shrewsbury.<sup>2</sup> For the further protection of the Welsh March we have on the one hand subventions to Welsh chieftains, and on the other hand hostages in safe keeping.<sup>3</sup> Castle building will be found a policy systematically carried out to the end of the reign.

But the financial feature of the year is the reappearance of "Vacant Sees" as a branch of the King's revenue. The issues of vacant bishoprics and abbeys had figured largely in the revenues of earlier kings, and were destined to figure again in the future, but Henry as yet had not drawn on that resource. On the 18th April Theobald Archbishop of Canterbury had been gathered to his fathers, a fateful event. At Michaelmas £420 are paid in on account of the issues of the temporalities of the See for half a year ; all cash into the Exchequer ("*In Thro*").

<sup>1</sup> See Angevin Empire, 23, 24. Louis had just married their sister Alais of Blois.

<sup>2</sup> "Canterboham" or "Cantaraboham" is the Welsh Hundred of Cantref Bychan, in East Caermarthenshire ; but the castle is identified with that at Llandovery, remains of which exist ; "Carrecoel" is Careghova in Montgomeryshire (Round). "Witinton" should be Withington in Shropshire, as the pay of the garrison is defrayed by the sheriff of that county.

<sup>3</sup> See also Pipe Roll 8 H. II, p. 15. A penny a day, the pay of a foot-soldier and a common pension to persons in respectable positions, was the allowance for a hostage.

The scutages and tallages very nearly balance. The former we find as £1,403 3s. 1d. ; and the latter as £1,542 19s. 4d.

The *Viscountesse de Rouen* goes on plunging deeper and deeper into debt ; she now owes £964 7s. 4d.

Of the Cinque Ports and their shipping we get our first record notice this year, in a reference to "*Naves V Portuum*".<sup>1</sup> Our revenue stands as follows :

	£	s.	d.
Paid in or accounted for . . . . .	13,339	2	3
Combustions, say . . . . .	150	0	0
	<hr/>		
	13,489	2	3
	<hr/>		

## 8 HENRY II

1161-1162. For the taxes of the year we have a petty scutage at the rate of one mark (13s. 4d.) the knight's fee from the bishops and abbots, and also from the laity, great and small, the contributions from the latter coming down in cases to half a mark. With respect to this tax we must point out that there is no word of any expedition either into Wales or elsewhere either in the autumn of 1161 or the spring of 1162. But we also have *Donum* from the towns, a sum from Vacant Sees, and, for the last time, Danegeld. The scutage came to £887 7s. 10d. and the *Donum* to £338 14s. 7d. We have also taken out the amount of the Danegeld, detailing what was remitted, and what remained to be accounted for. As there are some defective entries we may again say that the tax must have stood at about £5,000 in the King's books. The actual figures, however, as we find them, are as follows :

	£	s.	d.
Paid in or accounted for . . . . .	3,132	0	0 <sup>2</sup>
Remitted . . . . .	1,574	6	5
Due and owing . . . . .	106	8	8
	<hr/>		
	4,812	15	1
	<hr/>		

It will be noticed that the amount remitted is about half the amount paid in. With respect to the dropping of Danegeld in the future it seems odd that the King should refrain from

<sup>1</sup> Pipe Roll, 59.

<sup>2</sup> Maitland gives the amount paid as £3,500.

exacting a perfectly legal tax, without introducing any new impost to replace it. We can only suggest that, pestered with applications for remissions, Henry thought the Danegeld more trouble than it was worth, and that he preferred to fall back on arbitrary assessments and judicial penalties (*Assisae Communes* and *misericordiae*) bringing under contribution all classes of the community. But we greatly doubt the average yield of these having equalled the amount actually paid under Danegeld.

As, for the Vacant Sees we have £414 1s. 4d., namely, £300 from Worcester, left without a head since the death of Bishop Alfred (30 July 1160); and £114 1s. 4d. on account of a half-year's farm of the bishopric of London, vacant since the death of Richard of Beames (4 May 1162);<sup>1</sup> all paid into the Exchequer (*In Thro*). From Canterbury nothing more comes in. In fact our Roll reveals Thomas Becket as raised to the pinnacle of royal favour as Chancellor with favour heaped upon favour. The King, anxious, naturally, after the recent usurpation, to secure the Succession to the Crown, had arranged for the coronation of his eldest surviving son Henry, the future 'young King' of unhappy memory. He had already been recognized as heir conditionally on his surviving his brother William, an event that had happened. The King now wished the honour to be repeated, as it were unconditionally, and for the purpose he ordered the boy to be brought to England under the charge of the Chancellor. Henry's opinion of Becket was such that he had entrusted the Heir Apparent to his care, that the youth might be brought up under healthy influences. Short as their connexion must have been, we are told that young Henry never ceased to regard his former tutor and governor with affectionate regard,<sup>2</sup> a fact that must be put greatly to Becket's credit. About the end of April or the beginning of May (1162) the Chancellor and his pupil came over, and the King's last word to Thomas must have been that he might consider himself Theobald's appointed successor. The date of the young Henry's coronation does not appear to have been recorded; but we have an entry of £38 for gold for the occasion.<sup>3</sup> Becket may have made a show of declining the Primacy, but, having accepted it, he lost no time in getting installed. On the

<sup>1</sup> *Registrum Sacrum*, Stubbs.

<sup>2</sup> See Angevin Empire, 25, 26.

<sup>3</sup> Pipe Roll, p. 43.



23rd May he was 'elected' to Canterbury by a delegation of Canterbury monks and bishops; on the 2nd June he was ordained priest, having previously only attained to deacon's orders, and next day, being the Sunday after Whit-Sunday, he was duly consecrated. His first act was to declare that the anniversary of his consecration should for ever thereafter be held a new festival, Trinity Sunday, and to his action Christianity owes this Feast.<sup>1</sup> At Becket's election the Bishop of Winchester, Henry of Blois, Stephen's brother, in Thomas's name had demanded and obtained of the Regency Council, the King being abroad, a full release from all questions or claims concerning Becket's past intervention in revenue affairs either as Chancellor or as Treasurer. This last stipulation might seem far-fetched, but as a matter of fact our Roll does exhibit Becket not only as acting as Treasurer, but as going the length of remitting Crown claims, a privilege, according to the *Dialogus*, only conceded to the Chief Justiciar.<sup>2</sup> The release was granted, but Henry very basely disputed it when he began to find that Thomas the Primate would not prove the supple tool that Thomas the Chancellor had shown himself, but, on the contrary, was prepared to exalt the *Pallium* to a level with the Crown and dispute the King's right to the first place in the realm.

An Exchequer Audit was held at Oxford this year. We have not found the reason for holding it there; but 2s. 2d. are entered as paid "*pro banc*", for the benches needed on the occasion.

The defaulting lady farmer of Southampton, the *Vicomtesse de Rouen*, appears once more, but only once more; the Exchequer could stand her no longer. She has paid in £55 on account of £229 due on the current year; but the total of her indebtedness is stated as amounting to £1,194 1s. 4d. "*bl*", 'extended' as equal to £1,253 15s. 4d. "*nuo*", just 1s. on the £1 being charged for the blanching.

We will take the Combustions at about the same figure as last year, our total will then stand thus:

	£	s.	d.
Paid into the Exchequer or accounted for . . . . .	14,794	19	6
Combustions, say . . . . .	145	0	0
	<hr/> 14,939 · 19 6 <hr/>		

<sup>1</sup> Angevin Empire, 28.

<sup>2</sup> Pipe Roll, p. 64.

## 9 HENRY II

1162-1163. A repetition of the system of petty scutages or assessments for soldiers or lesser gentry of the counties appears as the financial expedient of the year; the rate is given in one place as "*I marca de duobus feodis*",<sup>1</sup> and the tax is levied in ten central counties. The total comes to £111 19s. 10d. In Staffordshire, Worcestershire, Gloucestershire, and Herefordshire we have an *Assisa Militum* yielding £95 1s. 10d. The money is stated to have been paid, not into the Exchequer, but into the hands of men serving in Wales.<sup>2</sup> No returns from Vacant Sees appear, though Worcester was still vacant. London was filled during the year by the translation from Hereford of Becket's adversary, Gilbert Foliot.

But the interesting feature of the Roll is the appearance of the King himself at the Exchequer, to take a personal part in the work of auditing the sheriff's accounts, and we are inclined to surmise that he simply attended with a view to finding grounds for charges against Becket, the breach between them being complete. At any rate certain it is that Henry did impeach Becket in the matter of the accounts of Berkhamstead and Eye, Crown lands which had been in Becket's hands at one time, and that £300 were claimed by the King as being still due. Becket protested that he was not bound to answer a claim of which he had not received notice, as in fact we were told in the *Dialogus*. Eventually, he had to submit and give sureties, the King's cousin, William Earl of Gloucester, being one of them. The Pipe Rolls show that from Berkhamstead nothing was due. The Honour of Eye had been in Becket's hands for a year, or part of a year, our present year; and the entry is that he has paid in "*per servientem*", by the hands of a deputy, £150 3s. 7d. "*Sed non reddidit compotum regi.*"<sup>3</sup> From the Roll of the next year we learn that Eye stood in the King's books at £336 6s 8d., and that Becket was in debt, but not to the amount alleged by the King. The mere fact of a balance being due was too common an occurrence to furnish ground for serious complaint, if the

<sup>1</sup> Pipe Roll, p. 20.

<sup>2</sup> Id. 9. For the expedition against Rhys son of Gruffudd, led by Henry this year, see Angevin Empire, 37.

<sup>3</sup> Id. 34; see also for the King's presence, pp. 21, 68, 69, &c.

money had been tendered in due form, but to send it without explanation by a mere subordinate, with the King sitting in person, was a deliberate insult. A sheriff could only send in money by a near relative, and one not in Holy Orders. Becket's emissary would probably be some one in minor Orders.

A Judicial Circuit through Cumberland was held by Richard of Lucy.

With respect to William Cade, we get at last an insight into the matters for which he continues to draw such sums of money. An entry orders payment to him of £100 for *servientes*, foot-soldiers, brought from Flanders.

Extensive repairs at Westminster are recorded; the Hall is being re-roofed with shingles (*scindulae*). Directions are given for the due supply of rushes for the floors of the King's Palace.<sup>1</sup>

Our total on the Roll comes to £9,808 17s. 4½d. For the Combustions we are no longer driven to calculations and estimates, but stand on firm ground. A welcome Appendix to the Chancellor's Roll gives us the amount, namely, £101 11s. 5d. It must be understood that this would be the amount paid after actual assay.

Total:	£	s.	d.
Paid in or accounted for . . . .	9,808	17	4½
Combustions (stated) . . . .	101	11	5
	<hr/>		
	9,910	8	9½
	<hr/>		

## 10 HENRY II

1163-1164. No taxes of any kind appear to have been levied this year; but, strange to say, the revenue comes out slightly higher than it did last year, namely, rising to £10,245 16s. 8½d. In fact we get much fuller payments on the county farms and specially in Cambridge and Hunts, Norfolk and Suffolk, and Lincolnshire. Hitherto under these heads there have been large arrears. But we also get substantial sums from the feudal incidents and from "*Nova Placita et Conventiones*".

<sup>1</sup> Pipe Roll, 71, 72.

A fortified castle now rears its head at Eye, with a bridge, on which £32 are spent; William Cade still goes on; while, like him, one Robert fitz Sawin draws large sums for undisclosed purposes.

The King's *Camera* or Privy Purse is found under the charge of Ralph fitz Stephen. A schedule appended to the Chancellor's Roll again gives us the sum of the Combustions, namely, £177 17s. 4d. with a note of the application of the money, showing it as paid to the garrisons at Walton and Dover, and to William Cade. With respect to the garrisons, we note the great preponderance of the *milites*, heavy cavalry, over the *servientes* or foot-soldiers, namely four or five of the former to two of the latter.

	£	s.	d.
Revenue paid in or accounted for . . . . .	10,245	16	8½
Combustions (stated) . . . . .	177	17	4
	<hr/>		
	10,423	14	0½
	<hr/>		

## II HENRY II

1164-1165. This year, for a change, was one of heavy taxation in various ways, but mainly for war against Wales. Rhys son of Gruffudd had made his submission in 1163, but in 1164 the murder of a nephew of his, committed by a retainer of the celebrated Richard of Clare, Earl of Pembroke and Strigul or Chepstow, commonly called the Earl of Clare (Strongbow),<sup>1</sup> had driven him into wild rebellion, in which he succeeded in uniting all Wales, Middle, South and North, in a common effort to throw off the English yoke. Henry sent two armies into the field. The first marched out 'after Easter', say in April or May; the other 'after Pentecost', say in June or July. This latter armament was fitted out in great style, and better provided in the matter of commissariat than many medieval armies were; stores of wheat, barley, oats, malt, cheese and "grout"<sup>2</sup> were ordered to be sent in by the sheriffs. The Welsh annalist complained that all the forces of the Empire had been gathered together at

<sup>1</sup> The surname properly belonged to his father Gilbert; Chron. Melrose, "Strangbow"; Richard was a small man.

<sup>2</sup> Burnt malt to be mixed with water as a flavouring for beer.



Oswestry for their destruction.<sup>1</sup> In fact we do have, in addition to the native levies, a body of nearly 1,000 "Cotterels" as mercenaries under one Gerbod of Escals; these men were furnished in accordance with a treaty negotiated in 1163 by Henry and his son with Dietrich of Flanders and his son Philip, by which the Flemings undertook to put 1,000 mounted men (*equites*) into the field in return for a standing pay of 500 marks (£333 6s. 8d.) in addition to the existing benefactions in England enjoyed by the Count.<sup>2</sup> For the war taxation we have in the first place a legitimate scutage at the rate of a mark (13s. 4d.) the knight's fee, on the existing assessment,<sup>3</sup> but this again is supplemented by large contributions from all classes of society, irrespective of liability for knight's fees, or tenure of landed property at all. Generally the exaction was obtained in the shape of a 'promise' to find so many *servientes*, foot-soldiers, the promise of a *serviens* representing the sum of 15s. 3d., or pay at a penny a day for six months, a preposterous term of service, but the contributions, when analysed, prove to be multiples of that unit.<sup>4</sup> Eighteen men going out at a penny a day, receive £2 a—piece. In some cases the grant is spoken of as an *Auxilium*; in other cases as a *Donum*; or again as payment on account of a 'promise' of money for *servientes*. The most numerous payments appear to come under the head of "*De exercitu Waliae*". To this account the Bishop of Norwich pays £76, and the Earl of Gloucester £228. The Bishop of London having paid his £13 6s. 8d. as the scutage due for his twenty *milites*, goes on to promise £76 5s. for a hundred *servientes*. But the King was pleased to remit the payment. All the towns had to pay. London gave £333 6s. 8d. "*de auxilio exercitus*". The city of York sent £200, besides £53 6s. 8d. from the moneyers. Norwich gave £100 "*pro navi*", just ship-money, doubtless one of Noy's precedents. Richard of Redvers, Earl of Devon, having brought 20 men-at-arms and 60 *servientes*, is excused £76 5s. for 100 more

<sup>1</sup> "*Henricus rex angliae cum exercitu Angliae, Normanniae, Flandriae, Andegaviae, Pictaviae et Aquitaniae et Scotiae ad crucem Oswalt perrexil*", *Ann. Camb.* 50 (Rolls Series).

<sup>2</sup> Foundations, 35, 36, and for the course of the war with the Welsh, 72.

<sup>3</sup> Ten marks excused for ten *milites* actually with the King, Pipe Roll 11 H. II, p. 52, and Round, Feudal England, 282.

<sup>4</sup> See Pipe Roll 12 H. II, p. 84; Round, sup.



*servientes*.<sup>1</sup> Humble individuals were let off with half a mark, as if for scutage on half a fee.

The reader is doubtless aware that though the tenant *in capite* was responsible for the scutages, and accounted for them at the Exchequer, the money was actually found by the under-tenants, the *feoffati* themselves, who otherwise would have to serve in person. The remissions of scutage are granted sometimes as if in favour of the lord, and sometimes in favour of the tenant, but always in fact for relief of the tenant. As concerning the extra illegal payments on account of 'promises', we take it that these would come out of the pockets of the lords, and be justified as extending the area of taxation. The total amount raised for the war we find as £3,604 11s. 8d. How much of this could be allowed as at all legal it is hard to say. In the first place the entries are not properly arranged. The word "scutage" only appears in connexion with arrears; but there are entries of payments for *milites*, i.e. scutage, and "*de exercitu Walliae*". But in most cases the entries of scutage have to be traced by the *status* of the persons paying it, and by the sums paid being expressed in terms of marks.

With respect to the returns from the clergy, we again only allow the one mark on as many fees as are recognized as due. The barons' fees we cannot deal with. *Donum*, *Auxilium* and payments on account of 'promises' we reject. With all reservation we would suggest say £1,763 as legal, leaving £1,841 11s. 8d. to the credit of the illegal exactions.

But besides the war taxations we have imposts, not in terms connected with the war, but probably suggested by the King's financial straits. First we have an extraordinary number of heavy *misericordiae*, arbitrary compositions for alleged offences exacted sometimes from persons in high positions. The Bishop of Lincoln, Robert of Chesney, having promised £152 10s. for foot-soldiers, pays £133 6s. 8d. on account of a *misericordia* of £266 13s. 4d.<sup>2</sup>

Then we have a marked increase in the number of those

<sup>1</sup> Pipe Roll, 13.

<sup>2</sup> Id. 37. The Bishop sided with the King in the struggle with Becket. P. 36 of the Roll contains a whole column of minor *misericordiae*, fourteen in all. In no case is the nature of the delinquency indicated.

disgraceful fines or compositions for special favours, and in particular for preferential treatment in legal proceedings, such as were conspicuous under Henry I. Hugh Bigod pays £333 6s. 8d. on account of a fine of £1,000 agreed to with the King at Nottingham, besides £227 10s. expended on men-at-arms and foot-soldiers in Wales.<sup>1</sup> Lastly, we have a *bonus* in the shape of the revenues of the See of Canterbury, vacant for a year by Becket's flight. Randolph Brock the *custos* returns the gross 'farm' as £1,562 15s. 5½d. The whole appears to be paid in or accounted for except £78 1s. 8d. The sum actually paid "*in Thro*" is £1,244 1s. 3½d.

With all these exactions the revenue doubles that of the previous year and stands thus :

	£	s.	d.
Paid in or accounted for . . . . .	21,523	6	2
Combustions, say . . . . .	200	0	0
	<hr/>		
	21,723	6	2

To the list of garrisoned castles that we have already given we may add Chirk, Montgomery, and Abergavenny.

## 12 HENRY II

1165-1166. No taxes, properly so called, were levied this year. But the neglect was, to a certain extent, made up in other ways. The year 1166 marks an era in our legal history as that of the regular institution of the Judicial Circuits instituted to a certain extent by Henry I, but intermitted since. These were now being held under the provisions of the celebrated Assize of Clarendon, enacted with the consent of the bishops and baronage early in 1166.<sup>2</sup> The sheriffs were required to bring before the Justices in their circuits all persons 'presented' as men of ill-repute (*male-crediti*), men 'generally esteemed' (*reittati, publicati*) to be murderers, robbers, thieves or the like, as well as all who harboured or abetted such, the presentments to be made by twelve good men from the Hundred, and four from the township (*villata*) with which the man charged was

<sup>1</sup> Pipe Roll, p. 7.

<sup>2</sup> For the Assize see Bishop Stubbs's Select Charters.

connected. In cases of felony the Justices, if satisfied with the presentments of the several juries, would send the accused to the ordeal by water (*ad juisam aquae*), presumably by cold water.<sup>1</sup> In minor cases they would simply 'amerce' him off-hand;<sup>2</sup> hence the petty *misericordiae* of which we have heard so much. A man with a very bad character might be ordered to abjure the realm—even after passing the ordeal; those who succumbed lost a hand or were hanged, and forfeited everything. But the Assize also demanded a nominal return of the fugitives and men sent to the ordeal, or rather of those who succumbed ("*qui perierunt in iudicio aquæ*"). The lists are painful reading, revealing a terrible amount of crime, largely due, of course, to the total want of constabulary or police. In the big counties, like Yorkshire or the linked counties of Norfolk and Suffolk, we have as many as a hundred men 'presented'; in Lincolnshire we find thirty-nine, six in Rutland, and all for serious offences. Under London and Middlesex we get the most exact analyses. Of thirty-three men sent to the ordeal fourteen are said to have been mutilated (*disfacti*), and fourteen hanged, besides five 'duels', judicial combats, fought.<sup>3</sup> These ordeals, or appeals to the judgment of Heaven, were conducted by the clergy with appropriate ritual.<sup>4</sup> Our Roll records fees to priests "*Ad polum benedicendum*", where the word "*polum*" calls for explanation. Another Roll has money "*ad fossam excavendam*", for the *juisium*.

A peculiarly disagreeable feature of the proceedings in these Assizes is the constant use of informers, approvers (*probatores*), trained men kept in hire, receiving the standard wage of a penny a day from the Government; and carried about from one city

<sup>1</sup> So the Constitutions. The usual word is *juisium* from *juise*, an old Hispano or French word for judgement: Ducange. We have the digging of pits (*fossae*) for the ordeal; that implies the cold-water trial.

<sup>2</sup> See generally Pollock and Maitland, II. 652.

<sup>3</sup> Pipe Roll 12 H. II, 131. Again we have five ordeals with two men maimed and one hanged; 13 H. II, 1. "*Disfacti*" and "*diffacere*" come from the Old French "*desfaire*":

... "*deffaite creature*

*Que d'un braz la main a perdue*"; Godefroy.

The evidence of the Pipe Rolls points to the ordeal as being a much more searching test than the cases cited by Pollock and Maitland seem to show; II. 599.

<sup>4</sup> One such service is given by Schmidt, *Gesetze*, 416.

to another, as might be required,<sup>1</sup> to lodge 'appeals' and maintain their charges by wagers of battle.<sup>2</sup>

The Ordinance requires inquests to be held severally by the Justices and by the sheriffs.<sup>3</sup> On the sheriffs would fall the duty of searching out and verifying, in the local Courts of the Hundred and Shire, the cases proper to be presented to the Justices. To these preliminary investigations has been traced the later jurisdiction over petty crime exercised by the sheriffs in their half-yearly "Turns" through the Hundreds.<sup>4</sup>

The Circuit Judges of the year were Geoffrey of Mandeville, Earl of Essex, and Richard of Lucy, the Chief Justiciar; their perambulations appear to have extended to some twenty counties, with some Forest inquests held by Alan of Neville.

In all these proceedings the *misericordiae* and the forfeitures were the only matters with which the Exchequer was concerned, and the sheriffs in the regular course would send in details of the offences for which men could be 'amerced'. Concealment of Crown pleas or Crown dues is a delinquency carefully to be looked into, as well as protection to wrongdoers, or failure to report crimes, and a township may be amerced collectively for neglect of this sort. The liabilities of sureties and questions connected with judicial combats bring in many marks. A man has to fine for leave to fight; if he backs out he is fined as a 'recreant' (*pro recreantisa*); if he succumbs he forfeits life or limb and everything else. In one case we find an unfortunate man compelled to face two combats in one day, but the priest who drove him to this extremity is very properly fined for his pains. So again if a man raises an uncalled-for hue and cry or prefers an unfounded claim or charge, he is fined (*pro falso clamore*); he is fined if he does not prosecute his suit (*pro defectis*). Of course he is amerced if he neglects to attend a County Court, or a visitation of the Itinerant Justices, or contravenes any

<sup>1</sup> Pipe Roll 12 H. II, 105, and especially 13 H. II, 12; six *probatores* retained for four months, and carried from London to Oxford, and again from London to Northampton. If we can trust the 'Beggar's Opera', informers were still paid by the Government in the Georgian era.

<sup>2</sup> See Pollock and Maitland, II. 633, 667. For an actual combat see illustration below.

<sup>3</sup> "*Inquirant justicie coram se, et vicecomites coram se.*"

<sup>4</sup> So Pollard and Maitland, I. 152.



Assize of wine, or any other local or general regulation, or brings an action relative to a lay fee in an Ecclesiastical Court. Again whole collective counties, Hundreds, and townships could be amerced, as for decisions given in their courts held to be erroneous (*pro falso iudicio*).<sup>1</sup> Appeals from the lower Courts were held to be Pleas of the Crown,<sup>2</sup> and, as such, fell to be heard by the Justices. Of the actual judgments reversed, or of grievances redressed, our Rolls tell us nothing; all that they care to record is the money due to the King. Anyhow our entries will be found to give valuable information as to the working of the lower Courts, their duties, and responsibilities.

Of extreme interest is the entry of the first amercement of a man "*pro dissaisina super assisam Regis*"; i. e. contravention of the King's new Ordinance, the celebrated "*assisa novae dissaisinis*", placing the seisin of freehold tenements under the protection of "Royal writ and inquest by neighbours".<sup>3</sup> Till then all questions as to the ownership or possession of land had to be decided by the cumbrous procedure of a Writ of Right in the popular Courts, or the Courts of the baronial franchises. On the strength of our entry the promulgation of this Assize has been attributed to the same Grand Council that enacted the Assizes of Clarendon.

A most singular entry on our Roll is that of penalties imposed on men of the coast towns of Norfolk for having trading ships at sea (*pro navibus oneratis*). Further on we have a return of £64 1s.<sup>4</sup> from the trading of the ships of Orford. It would seem that the King was wanting to restrict the trade of the East coast to the favoured Honour of Orford, a Royal demesne, which was in hand.

But the action of the Justices was not restricted to offences against the Civil Law. A Synod of bishops held at Oxford early in 1165 under the orders of the King had condemned the 'heretical' teaching of a humble band of Nonconformists from abroad who had ventured into England. The Assize of Clarendon dealt severely with them, requiring the very houses that had

<sup>1</sup> So the "*Homines de Hulms debent ii marcas pro falso iudicio*"; Pipe Roll, 57.

<sup>2</sup> Pollock and Maitland, II. 666.

<sup>3</sup> Pipe Roll, 65; Pollock and Maitland, I. 145.

<sup>4</sup> Pipe Roll, 30, 31, 35.



sheltered them to be burnt, as infected with moral poison. We have expenditure for preparing *rogi*, funeral piles, at Bridgenorth, Oxford, and Orford; but no word of actual sacrifices. The annalists only speak of the unfortunate 'heretics' as being branded and turned out of doors.<sup>1</sup>

As a See in hand we again have Canterbury, the revenues having been impounded at Becket's flight in 1164; with some arrears they figure as follows:

	£	s.	d.
Paid into the Treasury ( <i>In Thro</i> ) . . . . .	998	11	4
Total accounted for . . . . .	1,608	8	0

It should be noted that the standing charities and allowances of the See seem to be fairly kept up, and appear in the total accounted for.

The Assize of Clarendon ordered the establishment of county jails where there were none as yet, the King offering to supply wood from the Royal Forests. Under the head of jails we have expenditure in most of the counties.<sup>2</sup> Westminster Hall was being fitted with 20 new pillars (*columnae*)—clearly of wood—at the cost of 13s. 4d. We have Shrewsbury being girt with walls, and we find a strong garrison at Abergavenny.<sup>3</sup>

An Exchequer for once was held at Worcester.

The Roll shows £17,088 as the revenue paid in or accounted for; there is no Schedule of Combustions, but we will take the amount as £195, the sum given for the following year.

Total revenue : . . . . .	£	s.	d.
Paid in or accounted for . . . . .	17,088	0	0
Combustions . . . . .	195	0	0
	<hr/>		
	17,283	0	0
	<hr/>		

The appointment of a King's Chancellor for Ireland at a salary of 4d. a day comes as a surprise. At any rate as an act it was very prompt. The exiled Dermot Mac Murrough, no doubt, had made his way to the King's Court in Normandy in 1166; had done homage to him, and obtained leave to enlist men. But

<sup>1</sup> See Angevin Empire, 75.

<sup>2</sup> New jails at Cambridge and Huntingdon, p. 84; at Oxford, 117; in Essex and Herts, 123.

<sup>3</sup> Id. 59, 81, 117.

the first actual landing in Ireland did not take place till August 1167. Henry's promptness is accounted for by the fact that he had had his eyes on Ireland early in the reign.<sup>1</sup>

An isolated entry on our Roll introduces one 'Richard son of the Chancellor of England' without further designation'.<sup>2</sup> This is tantalizing, because the identity of the Chancellor of the time himself does not seem to have been established.<sup>3</sup> The Richard in question appears as paying in money, the produce of a Forest Assize, on behalf of Alan of Neville.

### 13 HENRY II

1166-1167. For the benefit of the Exchequer three bishoprics fell vacant within one year, besides Canterbury, already in hand. Bishop Robert of Bath died on the 31st August 1166; Robert of Chesney, Bishop of Lincoln, died on the 27th January 1167; and Robert of Melun, Bishop of Hereford, passed away on the 27th of February following. The whole proceeds were confiscated, the several accounts standing as follows:

	<i>Paid in (In Thro).</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Canterbury . . . . .	1,136	6	4	1,430	3	10
Bath . . . . .	450	10	0	454	5	0
Lincoln . . . . .	753	0	0	1,683	0	0
Hereford . . . . .	162	15	7	181	12	3
	<hr/> 2,502 11 11 <hr/>			<hr/> 3,749 1 1 <hr/>		

The Lincoln accounts include £42 remitted to the Pope for Peter's Pence; the Hereford returns are exclusive of 299 quarters of wheat sent to garrisons in Wales.

Large arrears from the Iter of Mandeville and Lucy of the previous year still come in, supplemented by the yield of a fresh general Forest Iter held by Alan of Neville. His proceedings differ from those of ordinary Justices in some respects. In the case of amercement and fines, the reason for the payment,

<sup>1</sup> See Angevin Empire.

<sup>2</sup> Pipe Roll, 84.

<sup>3</sup> Foss, II. 202.

whether for an offence committed, or for a favour to be obtained, is generally stated. Neville lays his demands—usually a mark or half a mark—not on an individual, but on a township, or part of a township, and that without any special ground or excuse for the demand being alleged beyond a general suggestion of some infringement of Forest rules. There is no pretence of *Donum* or *Auxilium*; the sheriff returns so much as having been laid on and paid by such or such a place; the place (*villata*) gets its receipt, "*Et quiesca est*". We also note that the township, or part of the township taxed, is always distinguished by the name of the lord or owner, as "*Apeltorp Reginaldi*" or, as we might say 'Althorpe Reginald's'.<sup>1</sup> Neville's demands amounted to a tallage, but the sum levied was not great. At a rough calculation it would not reach £500. The money apparently was to be paid by the under-tenants, or terre-tenants in the language of our old law; but when a remission is granted, as usual, the favour is granted to the lord.

Our year's total comes to £18,289 os. 2½*d.*, while a welcome schedule again gives us the amount of the Combustions, namely £194 15s. 11*d.*, making a total of £18,483 16s. 1½*d.*

To make an analysis of this sum. The returns from the list of the County Farms made out by Mr. G. J. Turner, when added up by us, give a total of £11,345 8s. 3*d.* Not included in that total are returns from the estates and Honours in hand, and from the cities and towns; the returns from lands in hand varied from time to time; estates fell in and were granted out again. Taking the returns as we find them on the Pipe Roll of the twelfth year, these, together with the farms of the cities, come to £3,419 10s. 10*d.*, making with the County Farms a total of £14,765 7s. 1*d.* In fact the Pipe Roll shows in addition to all these, some further petty returns from small holdings in hand that would bring the total landed revenues on the King's books to about £15,000 if fully paid. But from that sum we have to deduct the alienated lands, the *Terrae Datae*. These we found in the sixth year to amount to £3,943 16s. For the sixteenth year Dr. Parow will be found to give them as £4,574 1s. 1*d.*<sup>2</sup> We could hardly take them as less than £4,000 in round numbers.

<sup>1</sup> Pipe Roll, 117. The Reginald in question was apparently Fitz Urse, afterwards so notorious.

<sup>2</sup> See below.

Deducting this from the possible £15,000 we get £11,000 as the utmost actual yield of the landed revenues; adding the £3,749 1s. 1d. of the Sees in hand, we get £14,749 1s. 1d. to subtract from our £18,289 os. 2½d., and that will show a balance of £3,540 19s. 1d. as the yield of the *Placita et Conventiones*, the *misericordiae*, fines, forfeitures, and Neville's tallages, with some reliefs, the whole on the main representing more or less arbitrary assessments.

The entry of a second penalty for breach of the Assize of "Novel Disseisin" deserves notice;<sup>1</sup> from this time forwards they will become common.

Of the relations of the Treasuries of England and Normandy little is known. One would expect to hear of contributions from abroad coming home; this year, however, at any rate, the flow was in the opposite direction. We hear of treasure to an amount requiring the convoy of three ships, with 100 men-at-arms in each, being sent to Normandy.<sup>2</sup> But Henry had been laying hands on Brittany; subventions had been promised to Philip the new Count of Flanders, and to Theobald Count of Blois; and, in fact, throughout the most of 1167 the soil of Gaul "was a prey to turmoil and war".<sup>3</sup>

Along with the ships convoying the King's treasure went another vessel, carrying 'alms for the Eastern Church'.<sup>4</sup> These were the proceeds of a grant made by Henry in Normandy in the spring of 1166, following the example of Louis VII. The grant was one of twopence on the £1 of all rents and movables for one year, and of a penny on the same for another year, the money to be paid into boxes in the churches. Of the yield of the grant—an anticipation of the Saladine tithe—no record seems forthcoming. The work of fortification and castle building still goes on. We hear of forts at Preston and Rhuddlan; of repairs to Colchester Castle; and of Canterbury being provided with walls, a gate, and a portcullis.

With respect to Richard of Ilchester, whom we found in the *Dialogus* installed as Bishop of Winchester, with a special seat at the Exchequer Board, we now hear that he, as Archdeacon of Poitiers, and a trusted official, is administering the revenues

<sup>1</sup> Pipe Roll, 134; Pollock and Maitland.

<sup>2</sup> Angevin Empire, 89, 91.

<sup>3</sup> Pipe Roll, 194.

<sup>4</sup> Pipe Roll, 194.



of the See of Lincoln, and those of the Honour of Montagu, as *custos*; we also find him in conjunction with the Chief Justiciar consulting a Roll on the question of a Crown claim resisted by a sheriff.<sup>1</sup> Here we might have a reference to the mysterious *Liber Exactorius*.<sup>2</sup> We also find him serving as an Itinerant Justice.

Malcolm the Maiden, the weakly young King of Scots, had died on 9th December 1165; his brother William the Lion was installed at Scone on the 24th of the month. Early in 1166 William went over to Normandy at Henry's expense and did homage for his English possessions. Again in 1167 he went over in company with Guthfrith King of Man and the Isles. William pressed for a regrant of the Earldom of Huntingdon, formerly held by his brother. He failed to obtain that, but our Roll shows him as put into possession of extensive estates in Northants, Warwickshire, Cambridge, and Huntingdonshire—apparently relics of Waltheof's inheritance—with further lands in Bucks and Beds.

William Cade's name appears no more. Presumably he had passed away. A most interesting document found among the *Miscellanea* of the King's Remembrancer's office gives an inventory of the effects left by Cade to the amount of £5,000. The fact of such a document being found in the hands of the Treasury officials proves that the King was interested in Cade's effects. His estate would be just among the *secreta regni*, the casual sources of revenue, that Master le Brun had to keep an eye on.<sup>3</sup> The fact, moreover, supports the view of those who would carry the functions, if not the name, of the King's Remembrancer to the time of Henry II and Master le Brun. Cade dealt in money, and nothing but money. In 1202 he is quoted as a man who, like the nobleman in the Parable in St. Luke, lent his money to others to trade with, but did not practice usury himself. The inventory specifies the various securities held by Cade for his money. Some was invested *super terram*, i.e. on mortgage of land; some *per cartas*, lent on bonds; for some sums he only held tallies (*per tallias*), simple

<sup>1</sup> "In C. sunt XX s. terre de dominio Regis per rotulum Archidiacon' Pictavensis et Justicie," &c., p. 34. See also pp. 57, 149.

<sup>2</sup> Above.

<sup>3</sup> *Dial.* I. 84.



receipts; and for others only the word or pledge of the debtor (*per fidem*). He had dealings with France, Flanders, and Scotland.<sup>1</sup>

Henry would claim to treat Cade as a usurer. Anyhow we have a suggestion of moneys that might find their way into the King's Chamber of which the official Pipe Roll would know nothing. Lastly, the reference to money due on tallies does away with the view that the use of tallies was only known at the Exchequer.

Our year's revenue will stand as follows :

	£	s.	d.
Paid in or accounted for . . . . .	18,289	0	2½
Combustions (stated) . . . . .	194	15	11
	18,483	16	1½

## 14 HENRY II

1167-1168. A fresh Judicial Circuit was held this year, the Justices being our friend Richard, Archdeacon of Poitiers; Guy, Dean of Waltham; Richard of Warenne and William Basset, or some of them; their visitations extended to London and Middlesex, Essex and Herts, Northants, Cambridgeshire, Lincolnshire, Hants, Sussex, Surrey, and Kent. For the last county Henry fitz Gerold replaced Basset. Finally, Richard of Lucy, the Chief Justiciar, visited Yorkshire in solitary state.

But the mark of the financial twelvemonth was the levy of an Aid, at the rate of a mark on the knight's fee, the Aid *pur fille marier*, for which the King was entitled to call on the occasion of the marriage of his eldest daughter, Matilda, wedded to William the Lion of Saxony, in the course of this year.<sup>2</sup> It was the first Aid of the kind of the reign, and it became a landmark from the fact that the King was demanding it on the footing of a new and extended assessment, to which no consent had

<sup>1</sup> See the Articles by Mr. Hilary Jenkinson and Miss M. T. Stead and others, *Engl. Hist. Rev.* XXVIII. 209, &c.

<sup>2</sup> Red Book Excheq. I. 8. R. de Monte. For Matilda's outfit, gold and silver plate, and seven gilt saddles, with scarlet housings, see Pipe Roll 13 H. II, p. 2. We may note that the bags (*bulgiae*) and coffers are all in pairs, evidently for transport on horses' backs.

been given by the baronage. The number of knight's service for which each tenant *in capite* was liable apparently was not recorded in charters, but rested on an original nuncupative grant by William the Conqueror, or one of his successors, and so in fact was only preserved by the common knowledge and voice of the locality, to be determined in case of doubt by the sworn inquest of a jury.<sup>1</sup> The extent of the liability was, for all practical purposes, perfectly well known, both to the land-owners and to the Treasury officials. The original *Servitium Debitum*, as it was called, was that of providing and keeping in the field for forty days a fully equipped mounted *miles*, a *miles* in the broader sense of the term, as meaning, not necessarily a dubbed knight, but a knight or an esquire, as the case might be, fully armed. With the introduction of scutage as commutation for personal service the system had become one of mere money payment; but that did not affect the liability; so many *milites* due, so many marks to pay. There were two ways in which the performance of the duty might be provided for. The baron might maintain a sufficient number of men equipped and ready to march out on demand, like the *huscarles*<sup>2</sup> of former days. Such men were said to be kept *super dominium*. But this method was expensive and troublesome, and the more common practice was to enfeoff men, or groups of men, with small estates, *feoda militum*, supposed to average five hides, the normal fee,<sup>3</sup> to relieve the lord of all further trouble in the matter. As the Crown looked to the lord for the performance of the duty there was nothing in feudal law to interfere with the lord's freedom in his arrangements for the performance of the duty. So long as the duty, whether money payment or actual service, was performed, the Crown had no right to interfere; a baron might surely rearrange fees; he might enfeoff men previously kept *super dominium*; he might enfeoff a brother or a daughter with a fraction of a fee, rendering the corresponding fraction of service, without extending his liability to the

<sup>1</sup> See a case, Red Book Excheq. 200; also Pipe Roll 12 H. II, 8, cited Round, Feudal England, 245, 257.

<sup>2</sup> The term lives as a proper name on our Pipe Roll.

<sup>3</sup> We have several men responsible between them for one knight's fee; a man with one hide is liable for one-fifth of a fee, and so on with smaller fractions; Red Book, 183. Again five 'carucates' to one fee, 444.

Crown.<sup>1</sup> But Henry actually claimed to treat such transactions as creating new fees, with fresh liabilities, a mere attempt at extortion. In the spring of 1166 he issued to each tenant *in capite* a uniform writ calling on him to return :

(1) How many knights he had that had been enfeoffed in the time of Henry I.

(2) How many that had been enfeoffed since.

(3) How many he had *super dominium*.

(4) The names of all the knights.<sup>2</sup>

The returns (*cartae*) were ignored by some ;<sup>3</sup> but the majority sent in full and instructive answers to the questions propounded.<sup>4</sup>

As a financial expedient the demand for the Aid on an extended assessment fell very flat. The ecclesiastics, with one accord, protest on the recognized fees—" *Pro militibus suis quos recognoscit se debere Regi £x.*" With regard to the alleged new feoffments the answer runs uniformly "*Debet £y pro militibus quos non recognoscit se debere Regi*". He cannot say that he does not owe, because the King demands something, and his demand *ipso facto* creates a *prima facie* debt ; and so he says "*debet*". But he is careful to deny the legality.<sup>5</sup>

The clergy held out to the last, disclaiming liability year after year. The laity, less outspoken, utter no protest ; but, as far as they can, they refrain from paying. Roger of Mowbray, who pays £7 15s. 6d. on his new feoffments, for the time, stands almost alone. On the Pipe Roll no distinction is drawn between the *milites super dominium* and the others ; they all pay alike.

The rate of the Aid was, of course, a mark (13s. 4d.) on the fee ; but a few favoured individuals were let off with 8s. 4d.<sup>6</sup> Following the system adopted with reference to the scutage of Toulouse, and that of the 11th year which we shall find Henry adopting with reference to later scutages, the King was careful to balance the legal demand from the landowners by the illegal demand of an Aid from the non-landowning classes of the community,

<sup>1</sup> For instances of such dealings see the returns of the barons to Henry's questions, Red Book, 192, 197, 439, 444.

<sup>2</sup> See Red Book Excheq. 412 ; and on the whole subject Round, Feudal England, 236.

<sup>3</sup> Pipe Roll, 65, 90, 172.

<sup>4</sup> See them all, Red Book, 186-445.

<sup>5</sup> See e.g. the Bishop of London's account, Pipe Roll, 2.

<sup>6</sup> Pipe Roll, 194.

without any reference to fees or fractions of fees, namely, from cities, boroughs, and townships, and from individual burghers and townspeople. It was a mere tallage, like the call for 'promises' for foot-soldiers in the 11th year; and, in fact, it is frankly called an "*Assisa*". London is charged £600; Lincoln pays £91; a petty *villata* has to give £1 "*de minutis hominibus*"; and, sometimes, when all the men of any position in a place have been taxed individually, an extra 20s. is demanded from the collective community (*de communi*).<sup>1</sup> But the taxing of the *villata*, for the time, only extends to sixteen counties, all belonging either to East Anglia or the South-Western districts. Contributions by a few Sees and abbeys, on the strength of 'promises' of Aid (£200 in all) obtained from them, we rank with the tallages. Tenants in chief render their own accounts; the sheriffs account for the barons who have not sent in their returns (*qui cartas non miserunt*); for the fees due from Honours in hand not farmed out, and, of course, for the tallages. Again we have to deplore the differential treatment awarded to the rich and the poor. The magnates are let off very easily; the villagers pay to the uttermost farthing. The totals come out as follows, the legal and the illegal payments very nearly balancing:

						£
Aid	.	.	.	.	.	2,408
Tallage	.	.	.	.	.	2,019
						<hr/>
						4,427
						<hr/>

For evidence as to the doubtful question of the number of knight's fees in England, we must point out that the yield of the Aid gives a safer basis for estimation than the yield of scutage, because there was not the alternative of personal service that obscures the scutage returns.

Expressed in marks, the £2,048 would represent 3,612 fees. That is the number shown by the money actually paid in. For the total of fees we should have to add those represented by the arrears not paid up; the large remissions granted by the King;<sup>2</sup> the numerous Honours in hand, and farmed out

<sup>1</sup> Pipe Roll, 194.

<sup>2</sup> See e.g. id. 46.

from which no Aid is returned, and lastly "such enormous fiefs as those of Gloucester and of Clare", from which no return at all appears. With every allowance we must agree that the whole *servitium debitum*, clerical and lay, of England "can scarcely have exceeded, if indeed it reached, 5,000 knights."<sup>1</sup> For the practical purposes of taxation we would think 4,000 a sufficient estimate.

For the shipping dues (*de navibus*) of Orford, whatever they may have been, we get £37 14s. 6d.<sup>2</sup>

The returns from the Sees in hand stand as follows :

	<i>Paid into the Treasury (In Thro).</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Canterbury . . . .	1,370	11	11	1,395	17	4
Lincoln . . . . .	818	18	1	973	14	11½
Bath . . . . .	429	10	5	489	12	4
Holm St. Benet . . .	24	0	0	24	13	4
	<hr/> 2,643    0    5			<hr/> 2,883    17    11½		

Increments are laid upon some of the counties. Norfolk and Suffolk have an extra £100 laid on the sheriff's farm ; Lincolnshire has £80 more to pay ; Warwick and Leicester £40 (nothing paid in either case).

Garrisons are still kept up on the coasts of Kent and Essex ; and we have the laying of the foundations of that monument of the reign, the great Keep at Newcastle-upon-Tyne. No less than £150 are expended on work between it and the castle at Bamborough.

An Audit was apparently held at Southampton.<sup>3</sup>

In the *Dialogus* we heard of "*Assisae Communes*", assessments that could be laid on whole districts by the Justices in Eyre, without any indication by the writer of the circumstances that would justify or call for the imposition of a general tax, except the old case of *Murdrum*. But now we find districts amerced

<sup>1</sup> Round, Feudal England, 292. His summation of the fees on the Pipe Roll is 3,534, just 74 within our total. Mr. A. H. Inman gives a Table based on the Pipe Roll and the barons' returns which shows a total of 6,444½ knight's fees ; Domesday and Feudal Statistics, 50.

<sup>2</sup> Pipe Roll, 15.

<sup>3</sup> Id. 188.



by the Justices without cause alleged, or for offences seemingly of a trivial character. Hundreds are mulcted in such sums as £2 13s. 4d. "*Pro Placitis celatis*" and "*Pro Defectu*".<sup>1</sup> But the concealment of proceedings and neglect to carry out prosecutions would be offences against the fisc, and, as such, strongly to be dealt with.

The year's account stands as follows :

	£	s.	d.
Paid in or accounted for . . .	21,065	19	11½
Combustions (stated) . . .	169	17	1
	<hr/> 21,235	<hr/> 17	<hr/> 0½

## 15 HENRY II

1168-1169. The taxation of this financial year follows closely the lines of the preceding twelvemonth. We have calls for arrears of the Aid for the daughter's marriage from persons liable who had not paid in full, and they were many. With respect to the alleged New Feoffments, the calls for payment are reiterated *en bloc*. Again the clergy protest; and again the laity, in silence, pay nothing. "*Debet*", "*Debet*" is the ever-recurring entry on the Roll. In connexion with the protests of the clergy we note that the Bishop of Norwich and the Abbot of St. Edmund's, while refusing to submit to an unauthorized demand, pay up in full on promises of contribution voluntarily given. But the counties where the non-landowning members of society, the small towns and townships (*villatæ*) had been spared, are now called upon to contribute, and made to pay. In this measure we may trace a further step in the direction of the taxation of personalty, in contradistinction to the feudal system of mere taxation of land.

Arrears of the Aid for the King's daughter, and of the *misericordiae* imposed in the judicial Iters of previous years figure largely. We have arrears from the Iters of Mandeville and Lucy of the 12th year; of Alan of Neville of the 13th year; of Richard of Ilchester and his fellows of the 14th year; with a fresh crop

<sup>1</sup> Pipe Roll, 27-32.

of amercements, the produce of a fresh Judicial Circuit apparently held by Guy Dean of Waltham, William Basset, and Reginald of Warrene, in which they visited Staffordshire, Lincolnshire, and Gloucestershire; besides a visitation of some thirteen shires by the Forest Justiciar Alan of Neville.

We have spoken of the clogging of the Rolls by repeated entries of debts admitted to be bad. A preposterous case appears to be that of entering debts by men stated to be dead, the debts being evidently treated as wiped out by the demise of the debtor. No claim against any real or personal representatives is ever raised, but the entry goes on year after year.

Our Sees in hand come out as follows :

	<i>Paid into the Treasury (In Thro).</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Bath . . . . .	424	0	8	428	5	8
Lincoln . . . . .	779	8	8	914	3	4
Hereford . . . . .	273	18	3	302	13	11
Canterbury . . . . .	1,378	10	1	1,547	15	9
Holm St. Benet . . . . .	42	11	9	53	16	11
Barking . . . . .	40	0	0	40	0	0
	<hr/> 2,938 9 5 <hr/>			<hr/> 3,286 15 7 <hr/>		

The return from the Orford shipping is £45 16s. 6d. But it is now given as "*De Consuetudine Navium*",<sup>1</sup> suggesting that the return was not from trading on the King's account, but from customs or harbour dues.

Last year we found collective Hundreds amerced for venial offences. This year we find whole counties involved in similar penalties.

	£	s.	d.
Revenue paid in or accounted for . . . . .	20,662	12	8
Combustions, say . . . . .	195	0	0
	<hr/> 20,857 12 8 <hr/>		

<sup>1</sup> Pipe Roll, 94.

## 16 HENRY II

1169-1170. The sixteenth fiscal year of the reign was not marked by any scutage or general Aid, *Donum*, or tallage. But we have returns from various fresh Iters; one a Forest Iter held by Alan Neville the younger, who, in fact, in the previous year appeared as Forest Justiciar in succession to his father. We also have returns from Judicial Iters held by him in conjunction with William Basset; and from Iters held by Guy Dean (*Deanus*), Oger the Seneschal (*Dapifer*), Reginald of Warenne, John Cumin, and the great London merchant, Gervaise of Cornhill. These men are found calling for Aids from certain towns, and imposing 'Common Assizes on certain shires', besides disposing of the ordinary judicial business.

As usual, arrears figure largely under all heads but one; under one head, however, nothing is paid up. The demand for the daughter's Aid from the alleged New Feoffment again falls perfectly flat. Not a penny of it is paid by any one. When the King asks for money as a gift or Aid he seems to get it; when he demands it on the footing of an illegal tax he meets with strenuous resistance. But it must be pointed out that the *Donum* would fall on the helpless industrial community; the Aid "*pur fille marier*" would fall on the feudal gentry, the only class that could at all resist the King.

Murderer's goods have always been forfeit to the Crown. But we had not been told that the goods of a murdered man would go the same way. But so we now find it to be. The sheriff returns £3 6s. 8d. from the chattels of a murderer; and £1 2s. 4d. from those of his victim.<sup>1</sup> The King, as the Fountain of Justice, takes to himself the penalty for any misdemeanour, even to the extent of negligence or irregularity in the performance of an errand. A man is fined a mark for having brought his lord's *carta*, say, his lord's return or answer to the King's writ, 'stiched together', or tied up (*consutam*).<sup>2</sup> One would think that the lord was the person to complain if his servant had not delivered the document entrusted to him in a proper state, but

<sup>1</sup> Pipe Roll, 95.

<sup>2</sup> "*Quia attulit cartam domini sui consutam*", id. 50. The *carta* had doubtless been called for by the Justices and the sticking or folding might have implied want of respect to them.

the King pockets the fine. Moreover, we should note the severity of the penalty. If the messenger was a man in a humble station of life, 13s. 4d., at the usual penny a day, would be his wages for more than four months. As an illustration of the offences for which persons of rank might be amerced we may take the case of Avelina of Rye, fined £133 6s. 8d. for having had her son knighted without the King's leave, the son, Herbert of Rye, being under age and in wardship to the King.<sup>1</sup>

We have deplored the shocking use of hired informers, professional swordsmen, carried about from place to place to ensure convictions. We get a further illustration of the iniquitous system in the case of one Everard, a *Probator*, who having been trained in the use of his weapon by a foreign *Maître d'Armes*, is sent round successive "*Itinera*"—clearly Judicial iters.<sup>2</sup> Our illustration shows the fighting with wooden shields and light picks, much like Swiss ice-axes.

Two fresh bishoprics come into hand this year, namely, Ely, vacant since the 30th May 1169, through the death of the celebrated Nigel, the former Treasurer and Chancellor, the father of our friend Richard of the *Dialogus*; also Chichester, deprived of its head, 19th July 1169, by the death of Bishop Hilary. We also have a return from Malmesbury; but we miss Barking.

The total stands as follows:

	<i>In Thro.</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Hereford (on account of farm) . . .	268	18	8	306	4	4
Bath (farm) . . .	411	10	8	430	5	8
Malmesbury . . .	25	0	0	25	0	0
Hulm . . .	45	15	2	48	10	2
Ely (farm) . . .	774	11	0	888	0	10
Chichester . . .	250	18	4	254	3	4
Lincoln . . .	904	7	10	974	3	5
Canterbury (farm) . .	1,365	11	3	1,598	4	7
	4,046	12	11	4,524	12	4

<sup>1</sup> Pipe Roll, 8. Only £13 6s. 8d. are paid down. For the affairs of Avelina see Red Book, cclxxiii, &c.

<sup>2</sup> "*In liberatione Ebrardi probatoris et conductu ejus per Angliam tribus itineribus, xxiii s. et vi d. Et pro armatura ejus et liberatione Petri de Sancto Laudo qui docuit eum*"; Pipe Roll, 34. So again "*Pro armatura iii probatorum*"; p. 16.

From the Customs (*Consuetudines Navium*) at Orford we get £30 8s. but £75 are expended on the castle there ;<sup>1</sup> we also have New Increments of £10 on Bucks ; of £25 on Notts ; besides the £40 on Warwick and Leicester.<sup>2</sup> On the Roll our revenue, paid in or accounted for, comes to £18,697 8s. 6½*d.* For the Combustions we will take £195, the same as last year. The total then will stand thus :

	£	s.	d.
General revenue . . . .	18,697	8	6½
Combustions, say . . . .	195	0	0
	<hr/>		
	18,892	8	6½

The Pipe Rolls might be called the Court Circulars of the times. Under the London accounts we have liberal payments for robes for the daughter of the King of France.<sup>3</sup> The Princess in question was Marguerite of France, daughter of Louis VII (*Le Jeune*) and wife of the young King Henry. The latter, oddly described on the Rolls as 'the King, the King's son',<sup>4</sup> had received formal homage as heir to the throne in 1162 ; the King now proposed to have him crowned. He was in his sixteenth year. By rights he should have been knighted before being crowned ; as, till admitted to knighthood, he would not be held of full age, or entitled to have a seal of his own. The honour must have been purposely withheld in order to keep him in a state of tutelage. "Three years later the sword of William Marshall, afterwards Earl of Pembroke, conferred the lacking distinction, to enable 'the Young King' to act, not for his father, but against him."<sup>5</sup>

Thus then, without having been knighted, on the 14th June 1170 young Henry was hallowed and crowned in Westminster Abbey by Archbishop Roger of York, a fresh challenge to Becket. But the breach between him and the King was already complete.<sup>6</sup>

Deeply interested in castle building we shall find Henry to

<sup>1</sup> Pipe Roll, 2, 4.

<sup>2</sup> Id. 25, 80, 86.

<sup>3</sup> Id. 15.

<sup>4</sup> "*Rex Reg. fil.*", p. 15.

<sup>5</sup> Angevin Empire, 119 ; William le Mareschal, I. 77 (P. Meyer). The Pipe Roll, p. 141, has a solitary entry which seems to imply that the young King was knighted, "*Ad robam Reg. filii R et Milit. eis*". But if he had been knighted, the King would have been entitled to the Aid for the knighting.

<sup>6</sup> For the very large sums expended on the coronation and establishment of young Henry see the Pipe Roll, *passim*.



the end of his reign. £79 19s. 3d. are paid for a castle and palace at Exeter; <sup>1</sup> besides the £75 expended on the castle at Orford.

We still have the Jewish Countess residing at Cambridge; <sup>2</sup> and we note with interest that the accounts of the city of Norwich are rendered by "*Willelmus de Paris*" (*Parisius*), presumably a relative of the great future chronicler.

Professor Parow in his *Compotus vicecomitis*,<sup>3</sup> a careful monograph on the finance of Henry II, deals very fully with the 16th year. He gives a "*Compotus generalis de redditus totius Angliae*", a tabular statement, with details showing a total of £23,535 16s. 10d. This sum is arrived at by including the *Terrae Datae*—the alienated lands—given as £4,574 1s. 1d.—and all the unpaid arrears, the '*debets*'. These are given as £2,563 7s. 5d., the two together making £7,137 8s. 6d.<sup>4</sup> But the Professor evidently intends to show not merely the total actually paid in, but what the revenue would or should or might have been if no lands had been alienated, nor any Crown debt or demand left unsatisfied. The deduction of this £7,137 8s. 6d. from his £23,535 16s. 10d. reduces the actual revenue shown by him to £16,398 8s. 4d. as against our £18,892 8s. 6½d. The deficiency must be put down—in part at any rate—to his under-estimate of the yield of the amercements and fines—the *Placita Oblata et Conventiones*, which he puts down conjecturally at £1,000. The same as found by us two years later came to £1,481.<sup>5</sup> We are glad, however, to find that on the whole the Professor's figures may be considered in substantial agreement with our own, considering the difficulties of dealing with Roman numerals. The Sees in hand he gives as £3,906 1s. 8d., a figure that corresponds fairly with our £3,646 12s. 11d. as the sum of the cash paid into the Exchequer; but it falls considerably short of our £4,524 12s. 4d., the total accounted for on the Rolls, the sum that ought to figure in the year's revenue. The £877 15s. 5d. of difference between these two sums, with an allowance for his under-estimate of the *Placita et Oblata*, would bring his revenue fairly near ours. The *Terrae Datae* he has as £4,572 1s. 1d.; which some years before we found

<sup>1</sup> Pipe Roll, 100.

<sup>2</sup> Id. 18, 153.

<sup>3</sup> Berlin, 1906.

<sup>4</sup> See his Table below. Other curious items are the deduction of *Terrae Datae* from towns, and the head of "*Purprestures*"; and standing charges (*Constitutata*) applied to the uncertain returns from felling of timber (*Census*).

<sup>5</sup> See below at end.

## JAHR 16 H. II

Compotus generalis de redditus (*sic*) totius Angliae.<sup>1</sup>

	<i>In thes.</i>		<i>Ter. dat.</i>		<i>Consti.</i>		<i>Casual.</i>		<i>Debet.</i>		<i>Summa.</i>	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
De firmis comitatum . . .	4,461	0 8	3,927	6 3	544	7 7	904	16 0	692	6 10	10,529	17 4
de civitatibus, burgis, villis . . .	1,117	0 2	109	12 9	173	8 4	409	9 1	180	13 11	1,990	4 3
de honoribus in manu Regis . . .	1,410	4 2	443	3 5	111	2 8	157	17 8	110	6 6	2,232	14 5
de ecclesiis in manu Regis . . .	3,906	1 8	41	18 8	336	15 2	114	14 10	100	7 11	4,499	18 3
de firmis maneriorum, etc. . .	540	13 7	26	0 0	110	5 5	59	10 6	399	8 7	1,135	18 1
de purpresturis, escaetis, crenementis . . .	754	16 5	26	0 0	—	—	35	16 8	70	3 8	886	16 9
de censu nemorum . . .	236	2 11	—	—	14	4 10	—	—	10	0 0	260	7 9
de placitis et conventionibus . . .	1,000	0 0	—	—	—	—	—	—	1,000	0 0	2,000	0 0
	13,425	19 7	4,574	1 1	1,290	4 0	1,682	4 9	2,563	7 5	23,535	16 10

<sup>1</sup> *Compotus Vicecomitis*, 48, 49.

at £3,943 9s. 6d. On his Table it will be seen that he subdivides under six heads the returns that we would rank under the single head of County and Borough Farms and lands in hand. His six heads make £11,042 16s. 8d., while, if again we may be allowed to anticipate the future, in the 18th year our return under the single head will be found to amount to £11,504 7s. 8d. On the small point of the Combustions, however, Dr. Parow is quite at sea. These he treats not as extra payments to be made by the sheriff on rents due in 'blanched' money, but as deductions to be allowed to the sheriff.<sup>1</sup>

## 17 HENRY II

1170-1171. Henry, on his return to England in the spring of 1170 after four years' absence, had been assailed with complaints as to the exactions of the fiscal officers during his absence. The 'common assizes' levied on counties and Hundreds, for trivial offences; the tallages, as we have styled them, of Alan of Neville and others; the assessments on *villatae* and individuals; the attempt to levy the Aid for the daughter's marriage on the alleged 'New Feoffments'; the call for the Aid from persons owning no land at all; the severity with which the provisions of the Assize of Clarendon had been enforced; the painful sight of the mutilated victims who had 'perished' under ordeals, must have swelled the volume of discontent. The King, on the other hand, apparently, was disappointed at the paltry returns from the *catalla fugitivorum*; from the tardy and insufficient payments tendered on account of the daughter's Aid from the fees that *were* recognized, and the general rejection of payment for the alleged *New Feoffments* that were *not* recognized.

Popular odium naturally fell on the sheriffs, who had the disagreeable task of enforcing payment of dues. But the exactions, of course, were the work of the Justices in Eyre, the Mandevilles, Lucys, and Nevilles, of whom we have heard so much, all acting under orders from the King. He, at the period that we have reached, was anxious to secure the succession of his son; it was important therefore to allay all discontent. Accordingly, accepting the popular view, shortly after Easter

<sup>1</sup> See the *Compotus*, p. 27, where he deducts a *Combustio* of £110 2s. from the amount due in white money.

he held a Grand Council, dismissed twenty out of the twenty-five sheriffs, replacing local magnates by officials of the Exchequer and men of less standing.<sup>1</sup> At the same time he issued orders for a general inquiry as to the conduct of the sheriffs, known as the Inquest of Sheriffs. This inquiry was to be carried on throughout the counties by commissions of barons, clerical and lay. Henry also took advantage of the opportunity for entering upon a general investigation of the administration of the private franchises of the barons, lay and ecclesiastical. The sheriffs would be bound to appear, also all barons, knights, and freemen, to give evidence upon oath. The sheriffs would be required to render account of all their receipts since the King's departure in 1166, whether from Hundreds, townships (*villatæ*), or individuals, distinguishing sums exacted under judicial decisions, from money levied without such warrant. So too the lords of franchises, ecclesiastical and lay, were to state what they had exacted from their men, whether with or without legal process; so of the officials or farmers in charge of Vacant Sees, or other lands in hand; so of the Foresters having view of the Royal Forests. To these men a special inquiry would be addressed as to possible remissions of penalties through corrupt or personal motives. Another head of inquiry would be as to the chattels of 'fugitives'. We also have a very proper demand for information as to innocent parties unjustly charged, or guilty parties improperly let off, or amercements to the King unduly remitted; so again as to corrupt bargains or compositions made since the King's home-coming, with a full return of all bribes or hush-money taken or given.<sup>2</sup>

Thus it will be seen that the inquiry, ostensibly granted on behalf of the tax-payer as against the tax-collector, becomes very much an inquiry on behalf of the King as against both tax-collector and tax-payer. From the King's point of view, at least so far as the sheriffs were concerned, it would be an attempt to get behind the ordinary investigations of the Exchequer Audits. At these, men could only be called upon to

<sup>1</sup> See List of Sheriffs (Record Office); and Benedict of Peterborough, I. 3 (Rolls Series). Owing to the practice of linking counties, there were fewer sheriffs than counties.

<sup>2</sup> See the text of the Inquest of Sheriffs, Select Charters, 140 (Ed. 1870).

account for known liabilities ; now they would be asked to state whatever else they might have received, with the parties concerned to confront them. With respect to the community in general the Inquest might be regarded as an attempt to find out how far Direct Taxation could be carried.

Of responses on the part of the sheriffs nothing appears to be known ; presumably they would take their stand on the Pipe Rolls as full and sufficient returns. Of payments from under-tenants to their lords, on account of scutages, Aids, and otherwise, a few very instructive returns have been preserved.<sup>1</sup> No general scutage had been called for by the King since the 11th year, 1164-1165. But from these returns we hear of under-tenants having paid to their lords for expeditions (*exercitus*), both at home and abroad since then. William of Albini Earl of Arundel had received scutages for at least two expeditions to the Welsh March, presumably in 1167 and 1168 ; we are also told of his having received subventions for the last war in Normandy, probably in the autumn of 1168 ; and even for his journey to Saxony in the spring of 1167 in charge of the Princess Matilda.<sup>2</sup> These payments in some cases are spoken of as voluntary, "*gratis*", or "*bono animo*". But again in other cases we are more specifically and credibly informed that the payments were made "*Per breve Regis*",<sup>3</sup> that is to say, under a Royal writ of assistance. The word 'scutage' does not usually occur,<sup>4</sup> but the payments were at the extra rate of £1 the knight's fee. Gifts to relieve the lord of his debts to the Jews are also common. But these are always spoken of as given "*gratis*" or "*bono animo*". We also have the Aids for knighting the sons, and marrying the daughters of the lords.<sup>5</sup>

Apparently the Inquest brought nothing into the Exchequer and nothing further came of it.

For once in a way we hear of treasure being brought over from Normandy, and apparently from Falaise.<sup>6</sup>

<sup>1</sup> See those printed by Mr. Hall, Red Book Excheq. II. Append. A, No. 27 ; cf. 29.

<sup>2</sup> See esp. No. 6. For the wars in France in 1167 and 1168 see Angevin Empire, 92 and 98.

<sup>3</sup> Red Book, sup. No. 9, &c.

<sup>4</sup> But see No. 47.

<sup>5</sup> Nos. 27, &c. For a case of very harsh dealing with bailiffs and responsible servants see No. 46, but the lord was a Norman, Robert of Valognes.

<sup>6</sup> Pipe Roll 17 H. II, 40, 55.



Three more Abbeys, Hyde, Battle, and Thorney, come into hand this year, but the payments into the Exchequer only amount to £2,761 19s. 4d. as against £3,646 12s. 11d. last year. But the Canterbury returns are only for three-quarters of a year.

	<i>Paid into the Exchequer.</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Holme . . . . .	42	15	2	48	10	2
Bath (farm) . . . . .	383	6	5	425	0	0
Hyde (farm) . . . . .	108	0	0	128	14	5
Hereford (farm) . . . . .	259	10	0	291	2	8
Lincoln (farm) with arrears .	765	17	6	900	3	2
Thorney . . . . .	13	6	8	13	6	8
Ely (farm) with arrears .	866	13	8	892	13	8
Battle . . . . .	40	0	0	40	0	0
Chichester (farm) . . . . .	218	9	11	231	3	7
Canterbury (farm) . . . . .	776	0	0	989	11	0
	3,473	19	4	3,960	5	4

From the Orford Customs we get £25 16s. 8d.

Of the expenditure of the year the most interesting items are those relating to the King's prospective expedition to Ireland. During the last two years the Anglo-Welsh adventurers invited by Dermot had been making such progress that Henry became alive to the dangers of allowing an independent state to be built up by subjects of his own across the Irish Channel. Strongbow was recalled, and Henry announced an intention of going over in person. The accounts of the sheriffs are filled with outlays for supplies to be sent on in advance from Gloucester and Bristol to Pembroke. The articles included wheat, beans, bacon, cheese, handmills for grinding corn, tools, and two wooden forts.<sup>1</sup> A scutage was assessed, to be raised next year, as we shall see; but the City of London was beforehand with a *Donum* of £666 13s. 4d. (1,000 marks), £514 3s. 4d. paid down.<sup>2</sup>

The King's many preoccupations at home and abroad did not interfere with his steady purpose of building strongholds. We

<sup>1</sup> "*Castella lignea*", Pipe Roll 18 H. II, 29.

<sup>2</sup> Id. 151. For the King's movements see Angevin Empire, 140, 152. He had gone to Normandy directly after his son's coronation in the previous year. He landed at Portsmouth in September and went straight to Pembroke.

have £23 4s. spent on a bridge and castle at Salisbury; £100 on Chilham Castle (Kent); and as much on Bowes (*Bogis*) in the North Riding of Yorkshire. But the great work was the founding or extension of a great castle at Nottingham on which we find an instalment of £450 expended under the direction of architects with Italian names, namely, Reginald *de Sancta Maria* and Henry Medici, assisted by Pagan or Payon of Chesterfield.<sup>1</sup> It seems odd to hear of £31 expended on setting up a vinery at Newcastle under Lyne.<sup>2</sup>

The *Camera* draws £322; and we hear of persons accounting to the King in private,<sup>3</sup> the latter a fact to be noted as bearing on the question of the full revenue being shown by the Pipe Roll.

Our revenue comes out as £18,597 12s. For the Combustions, judging by the returns for past and future years, we will allow £150. The total therefore comes out:

	£	s.	d.
Revenues paid or accounted for . . .	18,597	12	0
Combustions, say . . . . .	150	0	0
	<hr/>		
	18,747	12	0
	<hr/>		

## 18 HENRY II

1171-1172. Receipts from bishoprics and abbeys in hand keep rising, the death of Richard of Blois, the brother of King Stephen (8 August 1171), having brought in the rich See of Winchester. We also get a full year from Canterbury with returns from Barking and Michelney, the whole amounting to £4,168 3s. 11d. "*in thro*" and £6,200 accounted for as against £3,473 19s. 4d. and £3,960 5s. 4d. last year (see Table on p. 112).

With the Sees in hand the King was able, at last, to make something of his New Feoffments, by taxing the tenants of bishoprics who no longer had a bishop to protect them.<sup>4</sup>

The scutage for the war in Ireland, assessed as we saw in the previous year, now comes in. We have taken out the amount and it comes to about £2,114. But we must explain that the tax was only called for from those who had neither followed the

<sup>1</sup> Pipe Roll, 23, 48, 63, 137.

<sup>2</sup> Id. 52.

<sup>3</sup> Id. 184.

<sup>4</sup> Pipe Roll 18 H. II, 4, 97. The *custodes*, however, continue to protest.

	Paid into the Treasury (In Thro).			Total accounted for.		
	£	s.	d.	£	s.	d.
Hereford . . . . .	257	14	0	291	5	10
Hyde . . . . .	110	0	0	208	10	2
Holme . . . . .	—	—	—	57	10	2
Barking . . . . .	—	—	—	51	17	0
Michelney . . . . .	—	—	—	1	16	0
Winchester, with archdea- conries . . . . .	887	6	0	1,484	8	5
Lincoln . . . . .	685	11	8	872	10	11
Thorney . . . . .	—	—	—	14	3	0
Ely . . . . .	814	0	0	853	0	0
Malmesbury . . . . .	—	—	—	34	0	0
Bath . . . . .	—	—	—	420	5	8
Chichester . . . . .	—	—	—	253	2	6
Battle . . . . .	—	—	—	70	0	0
Canterbury . . . . .	1,413	12	3	1,588	5	3
	4,168	3	11	6,200	14	11

King to Ireland, nor sent men to represent them, nor money in advance.<sup>1</sup> The character of scutage as commutation for personal service in the field here comes out very clearly; at the same time we learn how little the returns from scutage can be founded on for estimates of the total of knight's fees in the kingdom, when the *servitium debitum* could be discharged in various other ways as well. We would require returns of the fees accounted for in these other ways. Again the humble plea of more than one sheriff who assures the King that he is sending in the return from 'as many accountants as he could find',<sup>2</sup> proves that the register of fees was by no means free from doubt, and in fact disputes as to liability for fees occur on almost every pipe of the Roll. A common case is that of men refusing to pay in respect of lands of which they had been deforced by some magnate, if not by the King himself.

The scutage, for a change, was not reinforced or accompanied by any *Donum* or tallage.

<sup>1</sup> "De Scutageo Baronum qui nec abierunt cum Rege in Yberniam nec Milites nec denarios illuc pro se miserint", p. 9, &c.

<sup>2</sup> "De his quos invenire potui", Pipe Roll 18 H. II, 1, 2.

The yield from the Orford *Consuetudines* is returned as £40 5s. 4d.

Among the more interesting items of the expenditure of the year are those for the coronation—so long deferred—of the young King's wife, Marguerite of France; and for the re-coronation of young Henry himself. These matters had been arranged to appease the discontent of King Louis. On the 27th August (1172) young Henry and Marguerite were duly hallowed and crowned in Winchester Cathedral by Rotrou Archbishop of Rouen. £95 18s. 4d. are allowed for robes for the Royal pair, and £55 4s. 4d. for their coronation banquet.<sup>1</sup> But the chief outlay apparently was that required to make the Palace at Winchester habitable. For the purpose a quantity of roofing had to be brought over from France.<sup>2</sup>

The shipment of supplies for the forces in Ireland continues.<sup>3</sup>

	£	s.	d.
Our total comes out as . . . .	21,145	19	3
Combustions, say . . . .	150	0	0
	<hr/>		
	21,295	19	3
	<hr/>		

## 19 HENRY II

1172-1173. Our Pipe Roll brings us to a critical epoch in Henry's reign, when his wife and sons broke into unnatural opposition, with the support of his leading feudatories, both at home and abroad. Suddenly we find ourselves in an atmosphere of civil war, and the policy and meaning of all the castle building becomes apparent, when we learn that under urgent orders from the King the fortifications at Walton, Colchester, Dover, Canterbury, Hastings, Winchester, Salisbury, Wallingford, Berkhamstead, Windsor, Cambridge, Nottingham, Bolsover and York are to be promptly set in order and victualled ready for all emergencies; while the urgency of the case is evidenced when we find that Mountsorrel, Groby, Leicester, Huntingdon,

<sup>1</sup> Pipe Roll, 144, 145, also 87.

<sup>2</sup> Id. 98, 99. "*Aszeisia*", a word not in Ducange or Godefroy; doubtless shingles.

<sup>3</sup> e. g. Pipe Roll, 13, 18, 21.

Framlingham, Bungay, Tutbury, Thirsk, and Duffield are held for rebels ; and that the King of Scots " had drawn the sword to give effect to the generous ' grant ' of Northumberland made by the young King ".<sup>1</sup> Feudalism, hardly kept under control by Henry, was not crushed, and only needed an opportunity to raise its head.

But in England the war did not break out fully within the period included in our Roll ; and the only notices of operations that we find are those given by the entries of expenditure for the reduction of Leicester and its castle<sup>2</sup> (July 1173) ; and for the raising of an *exercitus Scotie*, presumably for a retaliatory raid, which in fact came off, when Lothian was ravaged and Berwick given to the flames.<sup>3</sup> We also hear of the seizure of the goods and shipping of Flemings, Count Philip having joined the ranks of Henry's enemies.<sup>4</sup>

No general scutage was called for, the loyal barons being mostly in the field, but we have payments from men who had failed to join ' the army of Leicester '.<sup>5</sup>

But in twenty-four counties a heavy tallage, as it must be called, assessed by Itinerant Commissioners, was laid on the cities, boroughs, and lands of the King's demesne—always liable to extra taxation. No pretence is made of any "*miseri-cordia pro defalta*" ; and in some cases the contributors are loyal enough to speak of "*Dona*". London, assessed at 1,000 marks (£666 13s. 4d.), tenders on account a *Novum Donum* of £337.<sup>6</sup> The tax must have brought in something like £2,500.

Intermingled with the entries of returns from the tallage are deplorable sums derived from the clearing of rebel lands, stripped of stock, crop, and everything, even the timber being sold off.<sup>7</sup>

Fortunately for Henry, he had already managed his reconciliation with the Church, and had been absolved from all guilt in connexion with the murder of the Archbishop, before the storm burst. But the revenue had to suffer. We miss the useful returns from the vacant bishoprics, the filling of the vacancies

<sup>1</sup> Angevin Empire, 173.

<sup>2</sup> Pipe Roll, 58, 178. The siege lasted 15-18 days.

<sup>3</sup> Id. 57 and Norgate, I. 149, from Diceto and Ben Peterboro.

<sup>4</sup> Pipe Roll, 13, 54, 165.

<sup>5</sup> "*Qui non abierunt in exercitum Legrecestriae*", id. 10.

<sup>6</sup> Id. 86,

<sup>7</sup> Id. *passim*,



having been one of the conditions insisted on by Alexander III. But we have some arrears and the small returns from the abbeyes, good for £366 8s. 6d. to the Treasury.

	<i>Paid into the Treasury.</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Battle . . . . .	35	0	0	35	0	0
Chichester, half-year . . . . .	100	0	0	103	2	1
Hyde . . . . .	103	0	0	201	19	8
Winchester, arrears . . . . .	—			56	13	1
Holme . . . . .	40	15	2	46	15	2
Thorney . . . . .	8	0	0	10	0	0
Ely, arrears . . . . .	3	0	0	17	4	8
Michelney . . . . .	10	0	0	10	6	0
Glastonbury . . . . .	66	13	4	66	13	4
	366	8	6	547	14	0

From the *Consuetudines Navium* at Orford, Customs' duties as we suppose, we get £35 5s.<sup>1</sup>

The expenditure on castles is again large. We have £51 11s. 3d. allowed for works at Richmond, Yorkshire, formerly the Honour of Count Conan of Brittany, but now in hand; £75 for Hertford Castle; £152 8s. further for Chilham; £174 further for Newcastle; £224 further for Bowes; besides £229 3s. 11d. further for Nottingham.<sup>2</sup> It sounds odd to hear after all this that the King's shooting lodge at Clipstone was only protected by hedges (*haiae*), like the primitive Bamborough.

The rate of pay of the mounted man-at-arms (*miles*), hitherto 8d. a day, has now in some cases risen to 1s. a day; the light horseman (*serviens eques*) draws 2d. a day, the ordinary foot-soldier a penny a day, still the standing wage or allowance of an able-bodied man. In the matter of shipping, we have pay issued for two steersmen and forty sailors, and two steersmen and forty-five sailors, suggesting vessels with crews of twenty to twenty-five hands each.<sup>3</sup>

As an indication of the rate of the expenditure of the Royal Household, we hear that Henry, during a hasty visit to England, stayed for four days at Northampton, and that his 'corredy' for

<sup>1</sup> Pipe Roll, 20.

<sup>2</sup> Id. 5, 9, 40, 55, 135.

<sup>3</sup> Id. 2, 43.

the time was £32 6s. 5d., say £8 a day. This, if a fair sample, would make a total of £3,000 a year, without wine, a heavy item, and independently of the Chamber or Privy Purse. In this connexion we may notice the King's partiality for fallow venison ; supplies of *damae* are regularly sent over to him when in Normandy.

The revenue, of course, suffered by the disturbances.

	£	s.	d.
The total paid in or accounted for			
sinks to . . . . .	15,795	14	4
Combustions (stated) . . . . .	128	11	10
	<hr/>		
	15,924	6	2
	<hr/>		

## 20 HENRY II

1173-1174. The compass of our Roll witnessed the final outbreak and ultimate discomfiture of the rising of the rebel barons and their allies. Their leader, Robert III of Beaumont, Earl of Leicester, who had prudently retired to the Continent when his friends and followers rose in arms, having ventured to return and to land at Walton, was defeated and taken prisoner at Farnham (7 October 1173) by Richard of Lucy, the Chief Justiciar.<sup>1</sup> On the 12th July 1174 Henry, just returned from a victorious round of his Continental dominions, finally sealed his reconciliation with the Church by doing penance at the tomb of Becket. By a coincidence that, to the age, must have seemed absolutely providential, the very next day witnessed the defeat and capture of William the Lion at Alnwick. The surrender of all the rebel strongholds at once followed. In three weeks' time Henry had restored peace to England, and crushed " the last struggle in English history in which the barons were arrayed against the united interests of the Crown and the people ".<sup>2</sup>

But the previous struggle had been by no means one-sided ;

<sup>1</sup> Hoveden. For fetters (*boiae*) and chains apparently for the safe keeping of Leicester, see Pipe Roll, 133.

<sup>2</sup> Norgate, II. 158-164 ; for the war see Angevin Empire, 175-181.

much land had been wasted ; and again the revenue suffered. Nothing comes in from Kent, Yorkshire, Northumberland, or Cumberland ; with reduced returns from Norfolk, Suffolk, Nottingham, and Derbyshire, and other scenes of disturbance.<sup>1</sup> No call for scutage was issued ; but tallages, assessed by fresh commissioners—our Treasurer, Richard fitz Neal, being one of them—were laid on the demesnes of thirteen counties, most of which had been mulcted in the previous year. And here at last we get both an *Assisa* of this sort, and a *Donum*, fairly described as tallage, the three terms being treated as convertible. In our last Roll we had a contribution under an "*Assisa*" spoken of as "*Donum*". Now we find both these terms equated with 'tallage'. A man refuses to pay his "*Donum*" under an "*Assisa*", because he is not liable to "*tallagium*". The term was an objectionable one, as to be liable to tallage implied unfree birth, and so the authorities, and others in general, avoided making use of it. It does not occur in the *Dialogus*, though the writer evidently refers to it in his *Assisa* laid *per capita* on the men of a town.<sup>2</sup>

Of course the *Assisa* on demesnes, the *Assisa* = *Donum* = *tallagium* must not be confounded with the *Assisa pro defalta*, or *pro misericordia*, to which all lands were liable. These were judicial penalties imposed for misconduct or neglect of some sort or other. Again, we may notice the curious difference between the response that a *tallagium*, an *Assisa*, or a *Donum* met with, and that which an *Assisa pro defalta* or *misericordia*, outside the demesnes, met with. The latter were very badly paid, and sometimes not paid at all. The former as a rule are paid at once, and in full. The explanation is given us in the passage in the *Dialogus* already cited,<sup>3</sup> where we heard that assessments on the demesnes could be enforced by summary means, not applicable to other lands.

The returns from the Church revenues were as follows. Henry had been forced to give up the bishoprics, but he still clung to the abbeys.

<sup>1</sup> A failure in Kent was not due to the war, as there had been none there, but to official delays.

<sup>2</sup> *Dial.* 145. Of course all *Dona* were not tallages ; there might be offerings more or less free.

<sup>3</sup> pp. 144, 145.

	Paid into the Exchequer.			Total accounted for.		
	£	s.	d.	£	s.	d.
St. Augustine's, Canterbury	100	0	0	166	0	0
Bath, arrears . . . .	20	0	0	20	0	0
Holm . . . . .	20	0	2	67	10	2
Battle . . . . .	35	0	0	35	0	0
Thorney . . . . .	5	0	0	5	0	0
Hyde . . . . .	145	6	8	203	19	2
	<hr/> 325 6 10 <hr/>			<hr/> 497 9 4 <hr/>		

The war expenditure through the hands of the sheriffs absorbs the bulk of the revenue. Of the County and Borough Farms the total paid into the Exchequer does not reach the sum of £2,500. The castles now are not merely victualled and guarded, but strongly garrisoned. At Kenilworth we have 20 *milites solidarii*, foreign mercenaries, and 140 footmen, kept on for 115 days, besides 10 mounted *servientes*, light horse; the 'mote' at Warwick was held for 78 days by 5 men-at-arms and 10 foot-soldiers.<sup>1</sup> Lincoln was garrisoned for 50 days by 20 *milites solidarii* under one Gerbod from the Scheldt.<sup>2</sup> All are paid alike 1s. a day. Twenty men-at-arms and sixty foot are distributed between Nottingham, Bolsover, and the Peak;<sup>3</sup> two being kept on at Nottingham after the cessation of hostilities. Cambridge had three men-at-arms till Leicester landed, then twenty more were added. Oxford was not garrisoned, but the well in the mound fort was cleaned out or repaired. The reader will mark the modest strength of all these figures. He will also notice that the primitive mound-fort had not yet been altogether displaced by the masonry keeps that were raising their heads in all directions.

Rhys of South Wales stood faithful, and brought a contingent, apparently a thirsty set, as, in addition to their 'corredy' of £4 18s. 11d., they were allowed £2 14s. 8d. extra for drink (*pro potu*).<sup>4</sup> Scottish frugality and Scottish customs had made their way across the Tweed. The heroic little garrison at Wark, that had resisted all David's assaults, is kept on oatmeal, Scottish diet, meted out by chalders, the Scottish measurement.<sup>5</sup>

<sup>1</sup> Pipe Roll, 139, 140.

<sup>2</sup> *Gerbodus de Escalt*, id. 96.

<sup>3</sup> Id. 56, 59.

<sup>4</sup> Id. 21, 121.

<sup>5</sup> Id. 105.

Small as we found the net sum paid into the Exchequer this year, money had again to be sent abroad. Of course it would be taken from the Treasury at Winchester. It went out under the charge of Ralph, Clerk of the Chamberlains, i. e. of the Deputy Chamberlains.<sup>1</sup>

Our revenue stands as follows :

	£	s.	d.
Paid in or accounted for . . .	12,514	1	4½
Combustions (stated) . . .	99	3	3
	<hr/>		
	12,613	4	7½
	<hr/>		

## 21 HENRY II

1174-1175. No special taxes were called for this year. But we have sweeping Judicial Iters to bring in some money at once, with arrears to encumber our Rolls in the future. *Misericordiae* were seldom settled all at once ; and fines for favours still less. Some eleven counties were perambulated by Ranulf Glanville and Hugh de Creissi ; and as many by William de Lanval and Thomas Basset. An entire novelty is the appearance of entries of "*Placita et Conventiones Curie*" among the records of the circuit business. These cases appear as having been heard and decided, some by the above-named Justices, and some by others, namely, by William fitz Ralph, Bertram de Verdon, and William and Thomas Basset, well-known men, in various conjunctions. This is most interesting as bearing on the evolution of the *Curia Regis* as a High Court of Justice. The King's itinerary shows that he must have passed through the counties where these *Placita Curie* were held, and the natural inference seems to be that cases heard in a place where the King was, within the verge, and at the hearing of which he presided or might have presided, were held Pleas of the Crown ; and that such Pleas might be heard either by the Justices in Eyre, if their circuit brought them into contact with the King ; or by men attached to his train in judicial capacity ; the King's peregrinations thus assuming the character of an extra judicial circuit. As it appears that these

<sup>1</sup> Pipe Roll, 135. Treasure went out on more than one occasion.



*Placita Curie* could be heard as well by the Justices in Eyre as by the Justices in Attendance, it follows that both sets of men should be held Justices of the King's Court.<sup>1</sup> The Justices in Attendance so far mentioned were, like the others, laymen, all men of good position and experience, and several of them sheriffs of counties. We find a man fining five marks to have his suit decided *in Curia*, as if decisions there inspired more confidence than decisions in the local courts. This application of course is made "*in Curia*".<sup>2</sup> By another of our *Placita Curie* the county of York is amerced in a sum of £100 "*pro recordatione duelli inter Simonem le Bret et Radulfum de Rugemonte*".<sup>3</sup> We presume that the offence lay in the non-reporting or non-recording of the combat. But the entry is valuable as throwing light on the jurisdiction and responsibilities of the County Courts in the matter of judicial wagers.

There was no general assessment of 'Assize' or tallage; but we have considerable returns from arrears of tallages from the desmesnes, and from forfeited goods, 'prises', requisitions, and penalties exacted from, or imposed on, rebels and men who had helped or held intercourse with rebels.<sup>4</sup> On the other hand, increments on counties had to be remitted.

For the second year running we have London under *Custodes* instead of sheriffs. The farm stood at £500 blanch and £20 in current coin (*numero*). But the total accounted for is only £224 19s. 8d. in current coin, with £13 5s. 11d. left owing, the whole being evidently arrears. The sheriffs of London and Middlesex were often in debt; their farm appears to have been "shamefully high". When the city was in the hands of *Custodes* to account for the actual receipts the amount of the farm was never made up.<sup>5</sup>

A most surprising payment is that of a mark (13s. 4d.) assigned to Elias the Usher of the Upper Exchequer for serving notices for Danegeld all round England. This suggests that the Govern-

<sup>1</sup> See the matter worked out, Round, *Feudal England*, 509, 514, where it is pointed out that John in his ninth year went about with three judges in his train.

<sup>2</sup> Pipe Roll, 21 H. II, 181.

<sup>3</sup> Id.

<sup>4</sup> See e.g. Pipe Roll, 5 and 173, "*De prisīs et perquisitionibus tam de dominiis Regis quam de terris inimicorum Regis*", &c.

<sup>5</sup> Round, *Commune*, 231.

ment had thought of raising a Danegeld but had to abandon the scheme.<sup>1</sup>

Jews have to pay to be allowed to enter into partnership together. "Jornetus" of Norwich and "Ysaac *fil Rabbi*" offer 4 marks of gold (£24) to be allowed 'to share their goods'.<sup>2</sup> From the Customs at Orford we have £22 16s. 2d. with £30 owing from the last year.<sup>3</sup>

The Sees, or rather Abbeys, in hand stand as follows :

	<i>Paid into the Treasury.</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Westminster, in hand since the death of Bishop Frogerius . . . . .	100	0	0	449	7	8
Battle . . . . .	10	0	0	10	0	0
Holm . . . . .	—			13	19	0
Thorney . . . . .	10	0	0	12	0	0
Hyde . . . . .	71	19	1	59	10	11
St. Augustine's, Canterbury	—			150	15	10
	<hr/>			<hr/>		
	191	19	1	695	13	5
	<hr/>			<hr/>		

Of ordeals by water we have had frequent notices ; now at last we find a case of ordeal by hot iron. Six men are amerced for some misfeasance in connexion with a case where a man had to carry the iron 'twice with one heating'.<sup>4</sup> Whether the offence lay in the severity of compelling the unfortunate culprit to undergo the test twice, or in the laxity of letting him off with one heating, does not appear.

To what lengths the disorders might have run if the rising had not been promptly crushed may be gathered from the fact that we find one Thomas "*Dapifer*" amerced £5 for attempting to levy '*Tenserie*', protection money, on lands of the King's demesnes in Staffordshire.<sup>5</sup> *Tenserie* was one of the worst reminiscences of Stephen's anarchy.

Of course, all the money still goes for wages of war. Glanville

<sup>1</sup> Pipe Roll, 15, 17.

<sup>2</sup> "*Ut Rex concedat societatem inter eos de catallis suis*", id. 20.

<sup>3</sup> Id. 111.

<sup>4</sup> "*Pro ferro fuisse bis portato de 1 calefactione*", id. 131.

<sup>5</sup> Id. 69.

has paid various men to the amount of £918 10s. 1d.<sup>1</sup> Robert of Stutteville having disbursed £498 os. 1d., puts in a total account of £1,228 16s. 10d.<sup>2</sup> These expenses were probably incurred in connexion with the retaliatory raid through the Lothians.<sup>3</sup>

When Henry landed on the 8th July (1174), among other captives he brought both the Queens. Eleanor was sent to Salisbury and Marguerite to Devises.<sup>4</sup> The latter seems to have had a liberal allowance. We have in one place a 'corredy' of £30 for twenty-eight days, rather more than £1 a day, besides £26 5s. 2d. for dress; and again £9 os. 8d. for a trip of four days on pilgrimage to Canterbury.<sup>5</sup> For Eleanor we have corredies amounting to £161 by the King's writ, but no statement of the time covered by the allowance.<sup>6</sup> Assuming the allowance to be intended to cover a year, the dole would amount to something between eight and nine shillings a day. But Henry was not vindictive; all that he required was submission, and the surrender and destruction of rebel holds. Within the compass of our Roll we find Leicester, the chief offender, pardoned and partially reinstated; while the walls of Leicester were razed, and the castle totally demolished. Friendly relations with Flanders are restored.

We seem to hear of an Audit being held at Oxford.<sup>7</sup>

Hitherto Scotland has been the refuge for broken men. Now with the English settlement in Ireland men in difficulties seem to find more openings in the Sister Isle.

Our total account stands as follows:

	£	s.	d.
Paid in or accounted for . . .	17,177	7	2
Combustions (stated) . . .	134	14	0
	<hr/>		
	17,312	1	2
	<hr/>		

<sup>1</sup> Pipe Roll, 7.

<sup>2</sup> Id. 76, 164.

<sup>3</sup> Norgate, II. 149.

<sup>4</sup> Pipe Roll, 4.

<sup>5</sup> Id. 15, 213.

<sup>6</sup> Id. 100, 106. The Queen had a standing allowance on the farm of London and Middlesex of £1 10s. 5d. a year (a penny a day) for oil for her lamp. Would she get it now?

<sup>7</sup> Id. 11.

## 22 HENRY II

1175-1176. The Judicial Iters that we have had since 1166 were not kept up on any settled plan. Some years one set of counties was visited, some years another set, just as the King might direct. The Roll of the twenty-second year shows England mapped out in seven circuits, with three Justices to each, and for the first time they are designated Itinerant Justices.

Taking them as they appear, Walter fitz Robert, Hugh de Creissi, and Robert Mantell take Beds, Bucks, Cambridgeshire, and Hunts.

Robert fitz Bernard, Richard Giffard, and Roger fitz Renfrid take Oxon, Berks, Hants, Sussex, and Kent.

Bertram de Verdon, William fitz Stephen, and Turstin fitz Simon have charge of Worcester, Gloucester, Hereford, and Salop.

Hugh of Gundeville, William Basset, and William fitz Ralph traverse Northants, Rutland, Lincoln, Notts, Derby, Staffordshire, Warwickshire, and Leicestershire.

William fitz Ralph, Bertram de Verdon, and William Basset in fresh conjunction take up Norfolk and Suffolk.

Ranulf Glanville, Richard Vaux, and R. Pikenot deal with Yorkshire, Northumberland, and Westmoreland.

Finally, Ralph fitz Stephen, Gilbert Despard, and William Ruffus, attack crime in Somerset, Dorset, Wilts, Devon, and Cornwall.

Again we have entries, eleven in all, of *Conventiones et Placita* decided by some or other of these Judges during their Iters, the King having been moving about the country most of the year. The arrangement of the circuits had been introduced at a Grand Council held at Northampton on the 25th January 1176. At the same time, by way of instructions to the Justices, Henry published the well-known Assize of Northampton, described as a re-issue of the Assize of Clarendon of 1166, but being in fact a new Ordinance with some of the old provisions retained. Forgery and arson are added to the list of crimes to be punished. But strict attention to the King's interests is still the primary duty inculcated.<sup>1</sup> The late troubles had inevitably led to many infractions of the law, and the King was determined not to lose the benefit of any *misericordiae* that might yet have become

<sup>1</sup> "*Intendant tamen pro posse suo ad commodum domini regis faciendum.*"

exigible. An increased severity distinguishes the Assize from that of 1166. A man who fails in the ordeal must now lose a hand as well as a foot, and abjure the realm; a man taxed with (*rettatus de*) murder or felony, even if cleared by the ordeal, must leave the realm, but may take his goods with him. Of course the Justices must make careful inquiry after escheats, vacant benefices, and the hands of marriageable widows and heiresses at the King's disposal. Against these rather narrow-minded requirements should, in justice to the King, be set the salutary and statesmanlike provisions of the Assize; such as those requiring the homage of under-tenants, even of 'rustics', in accordance with the Conqueror's rule; requiring the demolition of rebel castles, and the withdrawal of a further class of cases relating to the ownership of land from the cognizance of the local and private courts, placing them instead under the protection of the Royal Courts. This last enactment took shape in the well-known Assize of *Morte d'Ancestor*.<sup>1</sup> With Henry's settled purpose of curbing baronial feudalism few at the present day will be disposed to quarrel. Recognition of the King's beneficial action in this respect is the more necessary as our bulky Roll is one long record of the grossest breach of faith and the most monstrous fiscal exaction of the whole reign. It appears that during the troubles the King, to conciliate the gentry and clergy, had proclaimed free hunting in the Royal Forests. At a Grand Council held at Gloucester in the previous year (29 June 1175) Henry declared that all who had taken advantage of the licence, high and low, 'learned and lay', were *in misericordia*; and that, though Richard of Lucy, the Chief Justiciar, "loyal to the people as well as to the King", produced the King's warrant for the liberties taken.<sup>2</sup> The assessment of these penalties was the chief work of the Justices; nobody was spared; the "*misericordiae pro Foresta*", as assessed, run from 500 marks (£333 6s. 8d.) and 300 marks (£200) from county magnates,<sup>3</sup> to 6s. 8d. exacted from a poor potter. And these monstrous demands are well paid. In general the big penalties hang on from year to year, and often come to little or nothing. Avelina of Rye, amerced £166 13s. 4d. ten years before for

<sup>1</sup> For the Assize of Northampton see Bishop Stubbs, *Select Charters*, and *Const. Hist.* I. 522; and *Angevin Empire*, 190.

<sup>2</sup> *Angevin Empire*, 186; Norgate, *sup.* I. 171.

<sup>3</sup> *Pipe Roll*, 168, 186.



knighting her son without leave, still owes more than £100 of the debt. Of the Forest penalties at least one-half should be paid down. In one case time is given for payment of the other half, but only under threat of forfeiture of the land.<sup>1</sup> Yet again we notice that the names of the greater barons are conspicuous by their absence. Henry did not want to drive them to extremities. The counties of Norfolk and Suffolk, Northumberland and Westmoreland, Kent and Sussex were spared for the time. We have taken out the total amount paid within the year, and it amounts to £4,613 14s. 11d. Throughout the long list of these penalties there is not a single case where any specific wrongful act is assigned. Under ordinary Forest charges the nature of the offence, as for cutting timber or grazing, or building on land within the purlieus, is usually given.

Under the heads of the ordinary judicature, again, the King's orders appear to have been executed only too faithfully. There is a horrible increase in the number of 'fugitives', and men who had 'perished' under the ordeal. Hitherto the returns under these heads have been exceptional; now every county has its ghastly list. We have seen that men were amerced for having held intercourse with rebels; now we have a township and its inhabitants mulcted for having harboured an excommunicate.<sup>2</sup> On the other hand, the Canons of York are amerced £100 (all paid) for not having attended the King's summons. Probably their presence had been required at a Grand Council held in July 1175 for filling vacancies in the Church. In fact in that assembly abbots had been appointed to no less than eleven Houses.<sup>3</sup> The receipts therefore from Vacant Sees fall to mere arrears, reduced almost to nothing by 'Waste of War'. The actual sums stand as follows:

	<i>Paid into the Exchequer.</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Thorney . . . .	7	0	0	10	0	0
Lincoln . . . .	30	0	0	30	0	0
Bath . . . . .	4	0	0	7	1	11
	<hr/>			<hr/>		
	41	0	0	47	1	11
	<hr/>			<hr/>		

<sup>1</sup> "*Debet x m* (half the penalty) *vel terram suam*", p. 31.

<sup>2</sup> Pipe Roll, 57.

<sup>3</sup> *Id.* 107; Angevin Empire, 187.

From the Customs of Orford we have only £23.<sup>1</sup> The New Feoffments bring in some driblets from laymen; but nothing at all from ecclesiastics.<sup>2</sup>

The young Queen is still treated with great liberality. We have a writ for £114 5s. 5d. for her clothing; with £29 8s. 2d. for robes at Christmas; and £4 5s. 6d. for the like at Easter; and again she has a corredy of £6 1s. 4d. for a three days' pilgrimage to Canterbury, a little holiday excursion.<sup>3</sup> As a few days after Easter she sailed with her husband, we may suppose that, like him, she had been at Court following the King's movements. No robes are ordered for Eleanor. But £77 are charged on the sheriff of Wilts for her corredy; how long the allowance was to serve for does not appear; but we have a petty corredy of £2 16s. allowed to her at Winchester, clearly to allow her to attend the Easter Feast there, at which, probably for the last time in her life, she would meet all her four sons together.<sup>4</sup> Three of them were to go abroad shortly, one of them, the "young King", never to return. The King's third daughter Jeanne was also going abroad, to be married to William II 'the Good', the King of Sicily. She takes with her a robe costing "the enormous sum" of £114 4s. 5d. Seven ships convoy the royal yacht (*esnecca*), as it takes a large party across the Channel;<sup>5</sup> Henry and Richard will escort Jeanne through Gaul.

	£	s.	d.
Total revenue paid in or accounted for	22,632	0	8½
Combustions . . . . .	143	5	3
	<hr/>		
	22,775	5	11½
	<hr/>		

<sup>1</sup> Pipe Roll, 62.

<sup>2</sup> Id. 78, 79, 101.

<sup>3</sup> Id. 12, 14.

<sup>4</sup> Pipe Roll, 168, 171. Richard and Geoffrey had just come over, and went abroad again directly with the King; Angevin Empire, 19.

<sup>5</sup> Id. 12, 199.

## 23 HENRY II

1176-1177. Again we have England traversed by seven judicial circuits, with three Justices to each, as follows :

Ralph fitz Stephen, Turstin fitz Simon, and William Ruffus go round Berks, Worcester, parts of Gloucester, Dorset, Somerset, Devon, and Cornwall.

Richard Giffard, Roger fitz Renfrid, and Robert fitz Bernard take Oxon, Kent, and Southampton.

Hugh of Gundeville, William Basset, and William fitz Ralph take Warwickshire and Leicestershire, Notts and Derby, Northampton and Lincolnshire.

William Fitz Ralph, William Basset, and Michael Belet take in hand the cities and towns of Warwickshire, Northamptonshire, and Yorkshire.

Bertram de Verdon, Turstin fitz Simon, and William fitz Stephen traverse Salop and parts of Gloucester.

Ranulf Glanville, Robert of Vaux, and Robert Pikenot visit Yorkshire ; while

Walter fitz Robert, Hugh de Creissi, and Robert Mantel go round Essex, Hunts, Norfolk, and Suffolk.

As some of these men served on more than one circuit, the Iters cannot all have been held at the same time. Again we have entries of *Placita Curie*, Pleas heard at Westminster ; some of them old Pleas not yet disposed of ; some of them new Pleas, and some of them entered as new Pleas, heard by Gilbert Pipard and Gilbert *de Columbariis*. As neither of these men appears on the circuits, we must suppose them to have been Justices in Attendance on the King, as we have ventured to call them. A further novelty is the record of a *Placitum ad Scaccarium*, decided at Leicester by Hugh of Gundeville and his fellows.<sup>1</sup> The *Curia* as a High Court of Justice was clearly taking shape.

To redress the balance of the Forest penalties of the last year that fell on the landowners, we have a tallage laid by the Itinerant Justices on all the cities and towns of the kingdom except London. It is politely termed an Aid because it was not confined to the King's demesnes, but it was strictly enforced all the same.

<sup>1</sup> Pipe Roll, 31.

Cornwall now appears as a county. Earl Reginald had passed away; but Henry refused a regrant of the Honour to his representatives.<sup>1</sup> Lancaster still only figures as an Honour. County historians are invited to compare the number of tallageable towns of the Midland counties with those of the South-Western counties. The linked shires of Leicester and Warwick have between them four such towns, besides Tamworth, Warwick not being named. Probably it had not yet recovered from the siege. Gloucestershire could boast of fourteen taxable towns, and Devon of seventeen.

The returns from the Sees in hand rise to £404 6s. 3d., namely £394 6s. 3d. from Peterborough (£92 paid into the Exchequer) with £10 of arrears from the rich See of Lincoln, now in the hands of the King's natural son Geoffrey. This sum also is paid "*in Thro*".

Roger Bigod of Norfolk pays in £333 6s. 8d. 'for everything'.<sup>2</sup> His father Earl Hugh, the rebel, had passed away on Crusade. This payment should represent Relief for admission to his estates. But Henry refused to admit him, or to recognize him as Earl, and we shall find his estates in hand till the end of the reign.<sup>3</sup>

From the Orford Customs—if such they were—we get £24 13s. 4d.<sup>2</sup>

The arrears of the Forest *misericordiae* still hold the field, amounting to £6,271 3s.; bringing, with the £4,613 14s. 11d. exacted the last year, the total raised under this monstrous breach of faith to the enormous sum of £10,884 17s. 11d. The Great Scutage of Toulouse, with its concomitant tallages, only realized £8,269.

Our Pipe Roll tells of an embassy from the Emperor of Constantinople—doubtless Manuel—with which England was honoured. The envoy was handsomely entertained, but the nature of his mission does not appear.<sup>4</sup> A less welcome guest was one Cardinal Vivian, who had a Legatine commission over Scotland, Ireland, and Norway; having landed in England without permission, he was politely sent on to Scotland, the

<sup>1</sup> Pipe Roll, 23. Reginald died 1 July 1175; Diceto, I. 401; Pipe Roll 21 H. II. 37. His relatives were offered Limerick, if they could win it.

<sup>2</sup> Pipe Roll, 126.

<sup>3</sup> Id. 130; Complete Peerage.

<sup>4</sup> Pipe Roll, 187, 192, 208.

modest sum of £1 13s. 4d. being allowed for a white 'palfrey' for his journey (July 1176).<sup>1</sup>

Henry kept his eye on Ireland, where he contemplated establishing his youngest son John as Lord Paramount. Large supplies of wheat, cheese, and bacon are still being sent over, consigned, partly to William fitz Aldeline, "Dapifer", who had succeeded the late Strongbow as Justiciar, partly to Philip of Braose and other adventurers who were pushing fresh conquests at the expense of the natives.

In the matter of public works we have expenditure of money at Godstow and Woodstock; on the King's houses at Windsor, Clipstone, and "*in castello de Saresbiria*",<sup>2</sup> i. e. Salisbury—Old Sarum having already passed away—while £140 were still needed for the great Keep at Newcastle.

Of the Queen's corredy we only have a payment of £5 17s. 9d. to her servants, so that her own maintenance must have been provided for from funds that do not appear on the Pipe Roll. All her standing allowances and perquisites had been stopped, e. g. £1 1s. 1d. from the wool of certain manors in Berkshire.<sup>3</sup> Perhaps she may have had an allowance from the King's Chamber or Privy Purse which may have had special revenues affected to it independently of the payments made from the Exchequer, as was the case with the later Wardrobe.<sup>4</sup>

Henry, though without scruple in the matter of arbitrary taxation, was not exacting in his dealings with individual subjects, as shown by the endless remissions of *misericordiae* "*per breve Regis*". As a most signal instance we take the remission to Ranalf Glanville of a sum of £1,614 16s. 4d. for which he was accountable for money, plate, horses, cattle, hawks, stores, and what not, mostly from the estates of Everard de Ros, that had fallen into his hands during the troubles in the North. The whole is forgiven him.

Any light on the grounds on which Hundreds and counties could be amerced is valuable. Our Roll shows Somersetshire

<sup>1</sup> Benedict, I. 118; Pipe Roll, 47.

<sup>2</sup> Pipe Roll, 17, 36, 42.

<sup>3</sup> Id. 26, 51, 82, 98.

<sup>4</sup> See Pipe Roll, 165, payment of £15 to one Geoffrey a monk from the rents of King's Worthy, under "*attornatus est in camera curie*". Apparently Geoffrey had a charge on Abbotsworthy which for the future would be laid on the *Camera*.



penalized to the amount of 100 marks (£66 13s. 4d.) for an erroneous decision concerning a judicial combat, namely, for having left the matter to a Hundred Court, when it ought to have been brought before the County Court. "*Quia miserunt duellum in hundredo quod debuit esse in comitatu.*"<sup>1</sup> But this is not the first time that we have heard of responsibility of the County Court in the matter of battle-wagers.

We notice an increase in the "levying" of fines, in the language of our later lawyers, that is to say of fines "*Pro licentia concordandi*", as a mode of settling dispute or conveying land. The reader may have wondered, as we have wondered, at the unintelligible expression "Feet" of fines, as denoting the official records of these transactions. It appears that the idiotic term has arisen from the confusion of the Latin *pes* (foot) with the French *pes* or *pais*, meaning 'peace' or 'agreement'; so that instead of speaking of "Feet of Fines" we should speak of "Concords by Fines".<sup>2</sup>

To a moderate extent borrowings by the King from the Jews have appeared on our Rolls. This year they rise to something like thousands of pounds. Every sheriff tells of advances repaid "*per breve Regis*". One Deodatus, quaintly described as 'the Bishop' (*Episcopus*) of the Jews, presumably the chief Rabbi, figures in several of these transactions. Under the accounts of London and Middlesex we have two Semites 'fining' with the King for undisclosed favours to the total amount of 5,000 marks (£3,333 6s. 8d.) of which £1,044 are paid down.<sup>3</sup>

The currency was said to be in a very bad state.<sup>4</sup> Under the accounts of Kent we have six moneyers of Canterbury amerced between them in the astounding sum of 2,500 marks (£1,666 13s. 4d.). The nature of the offence is not indicated, but it must have been connected with their business as coiners. One of the offenders was a woman, wife of one of the other culprits; two of the men bore Jewish names, Solomon and Deodatus.

But only £66 13s. 4d. are paid down by the delinquents.

With the arrears of the Forest penalties, fines and fresh tallages, the revenue springs up to a total £9,000 to £10,000 above the highest yet recorded.

<sup>1</sup> Pipe Roll, 12.

<sup>2</sup> See Godefroy "*Pes*"; and Pollock and Maitland, II.

<sup>3</sup> Pipe Roll, 21.

<sup>4</sup> Ruding, I. 170.

	£	s.	d.
Paid in or accounted for . . . . .	30,339	8	1
Combustions (stated) . . . . .	139	1	10
	<hr/>		
	30,478	9	11
	<hr/>		

## 24 HENRY II

1177-1178. During the greater part of the year the King was abroad, and a certain relaxation of fiscal activity becomes apparent. There is no word of tallage or Aid; instead of six circuits covering the whole of the kingdom, we have only two Iters, extending, the one to five counties in the North, and the other to seven counties in the South, with a general Forest Commission in the hands of one Thomas fitz Bernard to hunt up petty purprestures and wastes. The penalties imposed by the Justices (*Nova Placita*) as a whole are neither widespread nor severe. But we find one Joce Quatrebuches, a Jew money-lender, who had large dealings with the King, suddenly amerced £111 2s. 3d. for some undisclosed offence.<sup>1</sup> The arrears, however, are considerable. At the head of these the cruel Forest *miseri-cordiae* can still yield £1,012 17s., bringing up the total to £11,897 14s. 11d. without exhausting the fountain; the delinquent Canterbury moneyers have a further £806 13s. 4d. to tender on account.<sup>2</sup> But private bargains with Jewish capitalists bring in the biggest hauls of all. Jurnet, Benedict, and Brunus, fining with the King for undisclosed favours, pay down between them £1,842 18s. 2d. towards £2,555 11s. 1d. agreed upon.<sup>3</sup> The Reliefs of great landowners also yield big sums. Robert de Lacy pays £222 4s. 5d. towards the 1,000 marks (£666 13s. 4d.) laid on him by the *Curia* "on succeeding to his father Henry's great Pontefract fief".<sup>4</sup> Evrard de Ros of Hamlake or Helmsley is called upon for a fine of £376 13s. 4d. "*pro terra sua*"; and manages to pay £100.<sup>5</sup> This must have been a terrible pull, as we saw under the last year that his lands had been stripped of everything by Ranulf Glanville. The King's freedom of hand

<sup>1</sup> Pipe Roll, 130.<sup>2</sup> Id. 123, 124.<sup>3</sup> Id. 130.<sup>4</sup> Id. 72; Round, Introduction to the Pipe Roll.<sup>5</sup> Pipe Roll, 64. As a matter of fact Evrard had succeeded in 1166 and had not yet settled his Relief; N. Nicolas, Peerage.

in the matter of assessing the Reliefs of tenants-in-chief gave great scope for partiality and injustice. "William Bertram, for instance, had been charged £200 on succession to his father Richard, though his barony was only one of three knight's fees ; . . . on the same page Walter Brito is found charged but forty marks for his relief, though his 'service' was that of fifteen knights." <sup>1</sup>

The Sees in hand come down to £77 19s., a total made up of £61 11s. 6d. arrears of tallage from Peterborough, and £16 7s. 6d. the farm of Faversham Abbey, which had been for twenty weeks in hand. Of the total £70 5s. 9d. are paid into the Exchequer.

From the Customs of Orford we have £24 12s. <sup>2</sup>

As another instance of the offences for which collective bodies could be punished, we have a tithing amerced for having failed to produce a man for whom it stood bail ; <sup>3</sup> for harbouring a 'fugitive', i. e. a man not under pledge, i. e. frank-pledge (" *Quia mansit ibi sine plegio* "). <sup>4</sup>

Westmoreland being now organized as a county, the sheriff's farm is settled by the Itinerant Justices and a jury of men of the district ; the amount is fixed at the modest sum of £90 2s. 5d. by tale, i. e. current coin. <sup>5</sup> Previously Westmoreland had been treated as appendant either to Yorkshire or Cumberland. The Keep at Newcastle still requires money, in fact £97. <sup>6</sup> Again we find treasure being sent abroad. <sup>7</sup> Lastly, we hail indications of more liberal treatment of the Queen. We hear nothing of corredy ; but £28 13s. 7d. are allowed for scarlet robes, grey fur, and an embroidered cushion for her 'and her maid'. These articles are to be provided by the hands of Edward Blunt the Chamberlain. <sup>8</sup>

Three pounds, eight shillings, and eight pence sterling are given as equal to twelve pounds Angevin. <sup>9</sup>

Our revenue falls heavily, and comes out as follows :

	£	s.	d.
Paid in or accounted for . . . . .	19,728	14	6
Combustions . . . . .	142	17	1
	<hr/>		
	19,871	11	7

<sup>1</sup> Round, sup. ; Pipe Roll, 39, 61.

<sup>4</sup> Id. 43.

<sup>6</sup> Id. 128.

<sup>5</sup> Id. 74.

<sup>9</sup> Id. 106.

<sup>2</sup> Id. 21.

<sup>3</sup> Id. 60.

<sup>3</sup> Id. 30.

<sup>7</sup> Id. 112

## 25 HENRY II

1178-1179. This year we have two circuits. The King was evidently making experiments as to the working of the system. William Basset, Robert of Vaux, Michael Belet, and Bertram de Verdun are to traverse Yorkshire, Lincoln, Rutland, Notts, Derbyshire, and Staffordshire.

Ralph fitz Stephen, William fitz Stephen, Roger fitz Renfrid, and Richard Mantell will take Cambridge, Hunts, Surrey, Sussex, Essex, Herts, and Bucks.

Again, Thomas fitz Bernard is commissioned on a special Forest Iter through Dorset and Somerset.

Besides the ordinary criminal circuit business we have this year seven new *Placita Curie* and one new *Placitum ad Scaccarium* held by the Itinerant Justices as in the ordinary course of their work.

We are told that this year (1178) Henry, making inquiry as to the working of the circuit system, was assured that the number of eighteen Justices in Eyre was excessive, and worked oppression to the people; each judge, presumably, would seek to magnify his office. We further hear that in consequence the King appointed five men, two to be clerks and three laymen, to sit continually at Court and receive all complaints and do justice.<sup>1</sup> With respect to the eighteen Justices, we had that number once, in the 23rd year, but not since. Then we take it that each Justice in Eyre would be specially commissioned for the time, so that the number from year to year would vary with the King's pleasure. But the statement of the appointment of five men to sit at Westminster, tallying as it does with our records of *Placita Curie* and *Placita ad Scaccarium*, has been generally held to mark the erection of a bank or bench in the *Curia*, to which the title of *Curia Regis* subsequently became restricted, and which is the original of the present Court of King's Bench.<sup>2</sup> In the distinction of the *Placita ad Scaccarium* from the *Placita Curie* we may again trace the germ of the Court of Exchequer. With regard to the further allegation that two of the five Judges were to be clerks and three were to be laymen, no such system

<sup>1</sup> "Quod a curia Regis non recederent," Ben. P., I. 207. Henry landed on the 15th July; Angevin Empire, 201, at "Titegrava", Pipe Roll

<sup>2</sup> Bishop Stubbs, Ben. P., II. lxxx.

appears to have been carried out, though clergymen will at times be found on the Bench.

From the Customs of Orford we again get £24 12s.; the arrears of the Forest penalties of the 22nd year can still contribute £594 1s. 10d.; bringing the total up to £12,491 16s. 9d. The feudal incidents again are very lucrative; Alice de Warenne is charged 200 marks (£133 6s. 8d.) for succeeding to her barony of Wormegay; Hugh of Gurney is charged £100 for his Relief; Richard of Givetot, £100; William "*de Escalariis*", £75. But time is always given. The Wardship of the Earldom of Devon is farmed at some £420 a year; £6 13s. 4d. are granted to buy clothes and 'harness' for the heir, Baldwin de Reviers, not yet styled Earl; and as much to buy clothes for the other children.<sup>1</sup> A fine of a startling amount is the £1,000 tendered by Gilbert son of Fergus 'for the sake of the King's goodwill' ("*pro habenda benevolentia Regis*").<sup>2</sup> Gilbert was the Lord of Galloway who had been in revolt, but had been brought by the King of Scots to render homage, and had sealed his submission by this loyal offering. He pays down £80 11s.; but £838 12s. 8d. will be found still due by him in 1185.

On the other hand the Sees in hand disappear entirely; nothing whatever coming in under that head. But the defaulting Canterbury moneyers of the previous year pay up £98 further on account.<sup>3</sup> We may notice £8 1s. 8d. paid in from the goods of usurers; and a small sum from the goods of a Jew who had been killed.<sup>4</sup> But we have already seen that the goods of the murdered, as well as those of the murderer, went to the King.

A transgression that might have been noticed before was one that involved Walter Archdeacon of Hereford in a penalty of £100 ("*Pro fosso levato et domo quadam contra assisam*"). "*Levato*" seems an odd word to apply to a ditch. Probably the Archdeacon had ventured to establish himself in a petty mound fort, or at any rate in a "moated grange".<sup>5</sup> Another clear case of illicit fortification in the way of earthworks is brought to light by our Roll, where a "mote" is specially condemned as piled up with an aggressive purpose against an individual, namely the

<sup>1</sup> See also Round's Introduction to the Roll.

<sup>2</sup> Pipe Roll, 31.

<sup>3</sup> Pipe Roll 25 H. II, 118.

<sup>4</sup> Id. 8, 23.

<sup>5</sup> Pipe Roll 23 H. II, 56 and 24 H. 41.



Abbot of Selby. The men of the Island of Axholm, one and all, are fined varying sums "*Pro fossato levato contra abbatem de Selebi*".<sup>1</sup> Evidently the mound fort had not yet passed out of use.

A curious item in the perquisites that helped to swell the sheriff's farm was an annual duty or licence payable by each moneyer. In some cases the amount was £1, in some cases a mark (13s. 4d.). We learn of the existence of this duty from the constant claims made by the sheriffs for an allowance on the ground that it had not been paid. Thus the Sheriff of the linked counties of Norfolk and Suffolk claims an allowance of £12 "*In defalta*" of twelve moneyers of Norwich, Thetford, and Ipswich at £1 each; while the Sheriff of Yorkshire claims a reduction for five marks in default, by five moneyers of York.<sup>2</sup>

The county of Bedford is mulcted 20 marks (£13 6s. 8d.), all paid for the unjust decision of a duel.<sup>3</sup>

Henry was not a man noted for church building. We are therefore the more bound to record his refounding of Harold's Abbey at Waltham Cross, Essex; £273 and £150 are expended on the works there.<sup>4</sup> Originally founded for secular canons, Henry replaced them by Augustinian monks, and dedicated the church to the Holy Cross, portions of which were enshrined there.<sup>5</sup> But this pious act was only part of the price paid for absolution from the guilt of Becket's murder, or rather in commutation for the three years' Crusade undertaken by Henry. We may also notice £66 13s. 4d. for lead for Clairvaux Abbey, and a grant of white bear skins for the monks of Grammont, a small shrine in Aquitaine much respected by the King, who wished to be buried there.<sup>6</sup>

The export of corn by water down the Cam is again forbidden,<sup>7</sup> though no word of dearth is raised by the chroniclers.

Our Roll records a visit by the Young King to his father;<sup>8</sup> also a visit by the King of France, but not so much a visit to Henry as a visit to the shrine of Becket. Louis's son Philip, the future Augustus, a boy of fourteen, had been run away with by his horse when hunting, and had fallen seriously ill from shock

<sup>1</sup> Pipe Roll 25 H. II, 50.

<sup>2</sup> Id. 2, 16.

<sup>3</sup> Id. 78.

<sup>4</sup> Id. 27, 50.

<sup>5</sup> Lewis, Topog. Dict. England.

<sup>6</sup> Id. 126. The plundering of Grammont was one of the last crimes of the Young King.

<sup>7</sup> Id. 32.

<sup>8</sup> Id. 35.

and exposure. The King then, in obedience to a monition conveyed to him in his sleep by apparition of St. Thomas, thrice repeated, resolved on a pilgrimage to the shrine of the Martyr. A safe-conduct having been duly obtained, he landed on the 22nd August 1179 at Dover, where Henry was waiting to receive him. Next day the two went to Canterbury. Louis's offerings at the tomb were commensurate with the occasion. They included a gold cup; a grant of 100 *modii* of wine in perpetuity, to be received at Poissy, with an exemption from all Customs' duties for all articles to be exported from France for the use of the monks. After a stay of two days, Louis, still escorted by Henry, returned to Dover. On the 26th he recrossed to Wissant.<sup>1</sup> The 'corredy' for his entertainment is entered at the modest sum of £28 2s. 5d., say £7 a day.<sup>2</sup>

We are again glad to have evidence that the Queen was allowed to appear in public. We have £18 3s. 6d. allowed for scarlet and furs for her and her *camériste* Amaria; with £4 1s. for a gilt saddle covered with scarlet for the Queen, and a more quiet one for Amaria.

The consumption of wax for candles for the Royal household for the year is given as 7,000 lb.<sup>3</sup> Earlier in the reign we had a mysterious Jewish Countess; now we hear of her son '*Isaach fil. comitessæ*'.<sup>4</sup>

An entry on the Pipe Roll of the 29th year tells us that this year (1179), at the close of the Audit, the King was at the Exchequer ("*in domo thesauri*") considering a difficult question that had been in suspense for fourteen years, to which we have already referred, namely, what was to be done in the matter of the farm of Wallingford, which the King had granted for £40 a year "*in nummis arsis et pensatis*"; that is to say money not only to be blanché but also of full weight. But we have seen that the officials refused to exact the due at that rate, alleging that accounts in that form were not taken at the Exchequer. It must have been on this matter that the King's decision was sought.<sup>5</sup> The subsequent accounts show that Henry had to give

<sup>1</sup> See Angevin Empire, 202.

<sup>2</sup> Pipe Roll, 116.

<sup>3</sup> Id. 125.

<sup>4</sup> Id. 50, Lincolnshire.

<sup>5</sup> See Pipe Roll 29 H. II, 139, "*In domo thesauri consumato Scaccario XXX anni*," and Round's elucidation of the incident, Introduction, xxxi.

way, and content himself with simple payment in blanch without exacting full weight. The tenacity of official routine, holding out against the King, is again worthy of notice. Under Henry I we had evidence of payment *ad pensam* as well as in blanch. That mode of payment therefore must have passed away under Stephen.

The revenue has again fallen :

	£	s.	d.
Paid in or accounted for . . . .	17,837	19	1
Combustions (stated) . . . .	107	3	10
	<hr/>		
	17,945	2	11
	<hr/>		

## 26 HENRY II

1179-1180. This Roll presents us with an unusual number of points of interest. In the first place we are again faced by six circuits rather irregularly mapped out.

For Essex, Herts, Norfolk, Suffolk, Sussex, Surrey, Beds, Bucks, Kent, and London we have Michael Belet, Richard of the Peak, and Hugh Murdac acting.

For Salop, Stafford, Yorkshire, Worcestershire, Herefordshire, Notts and Derby we have Ranulph Glanville, now Chief Justiciar vice Richard of Lucy deceased, with Geoffrey of Lucy, Hugh of Gaherst, and another man whose name is not given.

For Cambridge, Hunts, Lincolnshire, Northants, Rutland, Warwickshire, and Leicestershire we have Gilbert Pipard, Geoffrey Hose, and again a third whose name is omitted.

For Dorset, Somerset, Wilts, Devon, and Cornwall we have Richard fitz Neal the Treasurer, our friend of the *Dialogus*, with Nicholas fitz Turolde and Robert of Whitefield.

For Berks we have Alan of Furnell, Robert of Whitefield again, and another.

Lastly, for Gloucestershire we have John Cumin, Alan of Furnell, and William of Bendenges.

The last two circuits only extend to one county each ; from which fact we may suggest that the Commissions to these Justices were afterthoughts to supply omissions ; and that the

intended number was only four, as asserted by the chronicler. But the only ecclesiastic among the Justices is the Treasurer, whereas the chroniclers give the King's new Court as constituted with two ecclesiastics and three laymen.<sup>1</sup>

The inclusion of London and Middlesex in a Judicial Iter was an entire novelty. The special work of the London Justices was an inquiry as to 'adulterine Gilds', or Gilds not duly sanctioned by Royal licence. Nineteen such were found each having an alderman of its own. The penalties inflicted ran from 45 marks (£30) to one mark (13s. 4d.) on each Gild.<sup>2</sup>

Adulterine Gilds were not confined to London. They were often found in county towns, and duly amerced when brought to light.

It appears that the proceedings in the private franchises, as well as those of the County and Hundred Courts, could be reviewed by the Justices. William fitz Ralph of "Gnipeton" is fined 20s. for having unjustly hanged a man in his manorial court of Graham in Lincolnshire.<sup>3</sup> For an actual murder committed by one Pierre de Saint Medard, a minor, the Abbot of Peterborough who had the wardship of his lands is amerced £96 13s. 4d.<sup>4</sup> A cruel case was that of the City of York amerced 100 marks for not having kept a promise of paying 40 marks.<sup>5</sup> So much for *Dona* and *Promissa*! As an illustration of the King's right of wreckage we have a series of men and townships on the Yorkshire coast amerced individually and collectively to the sum of £39 for having plundered a stranded ship from Norway; another man is penalized for not having reported the wreck.<sup>6</sup>

The approach of the Justices was evidently viewed with terror; we find the good men of Leicester offering 80 marks to be quit of a visitation for the nonce.<sup>7</sup>

No tallage or scutage was called for; but we have a *Donum* of 100 marks (£66 13s. 4d.) from Devonshire; and one of 40 marks (£26 13s. 4d.) from Cornwall.<sup>8</sup> Both are assessed by

<sup>1</sup> Benedict, I. 207, Stubbs.

<sup>2</sup> Pipe Roll, 153, 154.

<sup>3</sup> Id. 57.

<sup>4</sup> Id. 82, 84. Only £33 were paid at once.

<sup>5</sup> Id. 71. Again 56 marks are all that is paid down, but the balance followed next year.

<sup>6</sup> Id. 67-69.

<sup>7</sup> Id. 101.

<sup>8</sup> Id. 93, 96. In the one case we have £24 5s. 1d.; and in the other £13 12s. 8d. disbursed.



the Justices as a case of a heavy fine or Relief. We have Fulk Paynel taxed 1,000 marks for the seisin of the Honour of Brampton; but he only disburses 200 marks at the time. So it always went. So too we are bound to notice the constant occurrence of entries to the effect of a fine, or promise for a favour, not having been paid "*quia non habuit*"; or "*Sed non habuit rectum*". 'He does not pay because he has not got that for which he stipulated.'

But the great event of the year (1180) was the issue of new coinage (*nova moneta*). The currency in use dated from about 1156, "extremely ill-struck, being very irregular in size and shape, and in parts quite illegible." The new coins "were of what is called the short cross type". They have on the obverse the King's head within an inner circle, outside of which is a sceptre in his hand.<sup>1</sup> From our Roll we learn that new money was struck at six cities, namely London, York, Winchester, Northampton, Southampton, and Exeter. These might be regarded as Royal Mints, to distinguish them from the thirty-two other mints where coin was struck on private accounts during the reign.<sup>2</sup> The artists employed by the King (*cambiatores*) were all foreigners, mostly from the King's oversea dominions. Philip Aymeri of Tours with Geoffrey Joismer, Stephen Génis and a younger Aymeri had charge of the London Mint; they were retained for thirty-eight days between the 29th August and the 6th October. Philip Aymeri drew 1s. 4d. a day; Joismer and Génis 8d. a day; and the younger Aymeri 4d. a day. Besides his wages Philip received sums amounting to £416 7s. 6d. "*ad faciendum cambium*". Engaged for the same time at Northampton we have Hervé a Breton and Martin du Pal at 6d. each a day with £45 6s. 8d. "*ad faciendum cambium*"; and we hear of bullion being brought from Winchester and Nottingham—the latter a very strong place—for re-coining at Northampton. Burdin le Brun and one Mansel have charge of the Southampton Mint at 8d. a day; and Maurice of Carcassonne has that of Exeter at 4d. a day. At York Michael of Durestal and Martin Richards have 8d. a day each, and lastly at Winchester Walter fitz Gerold has a wage of 1s. 2d. a day from the 31st August to the 6th October, besides £82

<sup>1</sup> Hawkins, 188; Ruding, I. 171.

<sup>2</sup> Hawkins, 191; Ruding.



"*ad faciendum cambium*". What this money was for does not seem quite clear. As such sums were not needed for the coinings at all the mints, we would suggest that the money given to the men in London, at Northampton and Winchester, was floating capital, to start Exchanges or offices for changing money and dealing in bullion on the King's account. If so, with regard to London we would find here the start of the *Cambium*, the Tower Mint and Exchange, which we shall find later bringing in a yearly return to the Crown. Besides the moneyers we have *fusores*, assayers, with their wages and allowances for charcoal for testing the silver. These details seem worth giving, as this re-coining has escaped the notice of the Annalist of the Coinage.

The chroniclers tell us that the old money was to be put out of circulation at Martinmas (11 November). But a later Pipe Roll tells of the acceptance three years later of a composition, £100 of the old money for £89 11s. 8d. or thereabouts of the new money.<sup>1</sup> The change bore hardly on the country, as the whole cost of the re-coining was thrown on the public.

If a man sought to exchange his money, he would be charged £15 to £20 per cent. discount; if he took his battered pennies to a mint, they would only be taken as bullion, by weight, while doubtless he would be charged a moneyage on minting duty. Under Henry III in 1247-1248, when a new currency was issued, we shall find that the public were charged 13d. in the £1.<sup>2</sup> It is only reasonable to assume that a similar charge would be made in the present case. At the re-coining in 1247-1248 the anticipated profits of the operation were such that Richard of Cornwall, the King's brother, a man with a decided turn for finance, could advance 10,000 marks (£6,666 13s. 4d.) on the security of one half of the profits for five years.<sup>3</sup> Of the profits on the present occasion nothing is found on the Rolls; the money must have been paid privately to the King. His interest in the matter is shown by his severity in enforcing the regulations of the "*Assisa*", or Ordinance relative to the coinage, the terms of which have not come down to us.

Again, in connexion with the obscure question of receipts not

<sup>1</sup> Pipe Roll 29 H. II, 153, 154.

<sup>2</sup> Below and Ruding, I. 185; Hawkins, 194.

<sup>3</sup> Ruding, I. 185; Dawn of the Constitution, 119, note.

passed through the Rolls, we have a direction to the Treasurer not to call on Walter of Coutances (a future Archbishop of Rouen), to account for the profits of Ramsey and Wilton Abbeys, lately in hand, because he has already accounted for them to the King *in Camera*.<sup>1</sup>

We may notice the extension of the system of farming out sources of revenue to the purprestures of Kent, Surrey, Sussex, and Herefordshire. Farming out might save trouble, and furnish an opportunity of finding a job for a favoured individual, but would scarcely help the revenue.

On the expenditure side we have £410 more expended on Waltham Cross Church, and a less sum on a nunnery at Amesbury; also founded in expiation of Becket's murder. Lead for roofing and winter clothing are given to the Cistercians. On castles and Royal residences the work of building and repairs is pressed without intermission. Liberal outlay is recorded at Winchester, Nottingham, Oxford, Woodstock, Pickering, Arundel, Dover, Pevensey, Colchester, as well as on the castled mound at Berkhamstead, and the Keep of Bowes in the West Riding.<sup>2</sup> Under Lincolnshire we get a reference to the '*castellum de Brunne*' clearly the historic Brunnanburh.<sup>3</sup>

Christmas 1179 was kept at Nottingham with unusual splendour, William the Lion and the Scots baronage attending.<sup>4</sup> We have £133 expended for robes for the King's knights and serjeants, and £85 18s. 10d. for the like for himself. No robes are provided for the Queen, but we find 'procurations' for her charged on the farms of Wilts and Devon to the amount of £250 and upwards, so that she must again have been sent into retirement.

The King's liberality to Glanville knew no bounds. He grants him the whole farm of Westmoreland, with the noute-geld, or neat-tax, as we might call it in more modern phrase.<sup>5</sup>

Frank pledge (*franciplegium*) and tithing (*tedinga*) are treated as convertible terms, called sometimes by the name of a man, sometimes by the name of a place. The man after whom the tithing is called may be the tithing man (*decennarius*), the head-man of the group, as "*Sericus et tedinga ejus*"; or the name

<sup>1</sup> Pipe Roll, 38, 122.

<sup>2</sup> For details of the work done see Round's Introduction to the Roll, xxix.

<sup>3</sup> Pipe Roll, 53.

<sup>4</sup> Ben. P.

<sup>5</sup> Pipe Roll, 76.

may be that of the lord or owner of the land on which the men are settled, as "*Franciplegium prioris de Wychal*". For place-names we have "*tedinga de Merston*" and "*tedinga de Brumfeld*". Half a mark was a common amercement on the tithing for allowing the escape of a man who was "wanted", ("*pro fuga*"). Entries of these penalties crowd the Rolls. But there is nothing to show that the tithing was responsible any further for the conduct of its members. Clearly distinguished from the villein tithing was the *villata* or township which was responsible for the conduct of its inhabitants, and might be amerced for their misdeeds. We have found a *villata* amerced for allowing a man not under frankpledge to live among them.<sup>1</sup> Murdrum of course would involve the whole Hundred; while a miscarriage of justice in a County Court would bring the whole shire under condemnation.

The revenue again keeps low and comes out as follows:

	£	s.	d.
Paid in or accounted for . . . .	14,786	3	8½
Combustions (stated) . . . .	90	16	11
	<hr/>		
	14,877	0	7½
	<hr/>		

## 27 HENRY II

1180-1181. Again neither tallage nor *Donum* was called for this year; nor was the country troubled with any Judicial Iter. According to our Roll, Glanville the Justiciar, in solitary state, perambulated Norfolk, Suffolk, Lincolnshire,<sup>2</sup> Yorkshire, Northumberland, and Cumberland. We also find him holding pleas as sole judge in the *Curia*, or, as we may fairly now call it, the Court of King's Bench. As the King was abroad till near the end of our year, Ranulf, or Rénouf as we ought to call him, must have reigned supreme. As an illustration of the development of the Court of King's Bench we have Jeremias of London

<sup>1</sup> See Pipe Roll 28 H. II, 79, 112, 144. A *villata* might be amerced for not having brought a man to justice "*ad rectum*", id. 127.

<sup>2</sup> Mr. Round produces a fine showing that Glanville had four colleagues sitting with him at Lincoln in December; Introduction to Pipe Roll 29 H. II, xxv; and Eng. Hist. Rev. XII. 296.

amerced £66 13s. 4d. (£20 paid) for having taken sanctuary to avoid a summons to appear in the *Curia Regis*.<sup>1</sup>

Receipts from ecclesiastical revenues begin to reappear in substantial amount, paid in, or accounted for, as follows :

	Paid into the Exchequer.			Total accounted for.		
	£	s.	d.	£	s.	d.
Whitby . . . . .	—	—	—	33	6	8
Lincoln . . . . .	184	0	0	286	3	5
St. Edmund's, Bury . . . . .	299	14	5	356	7	8
Glastonbury . . . . .	—	—	—	90	0	0
	<hr/> 483 14 5 <hr/>			<hr/> 765 17 9 <hr/>		

"The grievous scandal" of the misappropriation of the Lincoln revenues had come to an end at last. The Pope (Alexander III) having insisted that the Bishop-Elect, Geoffrey the King's natural son, should either be consecrated or resign, the King made other provision for him, and the See became vacant. But not to be filled up till 1183. The amount accounted for represented the revenues only for a quarter of a year, indicating "the immense total" of £1,200 and upwards for the whole year. The amount accounted for included £42 for Peter's Pence, and £3 6s. 8d. for Geoffrey's mother, not quite 2½d. a day, "*ad eam sustinendam*" a disgraceful pittance.<sup>2</sup> "As bearing on the chronology of history we note that Geoffrey's resignation was reckoned as about the end of June (1181), and that he is already spoken of by his new style as Chancellor."<sup>3</sup>

For minor receipts the Orford Customs only yield £19. From the fair of Holland (Lincolnshire) the large sum of £76 14s. 2d. comes in ; the men of Preston offer £50 for the privileges enjoyed by the men of Newcastle-upon-Tyne ;<sup>4</sup> while under the cruel Forest *misericordiae* of the 22nd year £29 17s. 6d. could still be extorted from the men of Northamptonshire, and £45 6s. 4d. from those of Hampshire.<sup>5</sup> The endless dribblets of petty penalties and petty arrears, as usual, help to swell the revenue. In this connexion, however, we may note, in contrast to the state of affairs prevalent in the early years, the punctual settlement of

<sup>1</sup> Pipe Roll, 159.

<sup>2</sup> Id. 64.

<sup>3</sup> Round, Introduction.

<sup>4</sup> Pipe Roll, 47, 50.

<sup>5</sup> Id. 68, 132.



the County Farms; the sheriffs of London are almost the only ones in arrear. But the interesting entries of the year are again those relating to the issue of the new currency, still being actively pressed on. The names of the artists employed, the rates of their salaries, and the periods for which they were engaged are all carefully recorded, but the places where they were at work are not always so clearly indicated, as some of them worked at different places in the course of the year. But we can make out pretty clearly that, whereas last year we had six mints at work, this year we have five additional mints, including Exeter, Winchester, Northampton, Nottingham, Lincoln, Oxford, Norwich, Worcester, York, and London, or ten in all, and perhaps an eleventh at Hertford.

At Exeter Maurice and Bartholomew were at work for the whole year, that is to say, from Martinmas (11 November) to Michaelmas (29 September).<sup>1</sup> At Winchester likewise Walter fitz Gerold and Roland went on the whole year.<sup>2</sup> At Northampton Hervé le Breton was engaged for the same period, with the help of Martin du Pal from Martinmas to the Octave of Easter (*clausum Paschæ*), 12th April, and again to the end of the year.<sup>3</sup> At Nottingham Burdin le Brun and Mansel were at work from Martinmas to the 12th April;<sup>4</sup> after that Burdin apparently went to Lincoln to work there with Michael of Durestal till Michaelmas,<sup>5</sup> while Mansel went to Oxford.<sup>6</sup> At Norwich Geoffrey Joismer was employed from Martinmas to the 12th April, with the help of the younger Aymeri to the 6th January.<sup>7</sup> At Worcester Peter Melekin minted from the usual time in November to the 12th April, with Richard Blunt as his assistant till Christmas. At York one Martin struck from Martinmas till Michaelmas, with the assistance of Michael of Durestal to the 12th April,<sup>8</sup> when the latter moved to Lincoln, as already mentioned. Finally, in London we have Philip of Aymeri and Stephen Génis kept on from Martinmas to the 12th April. But another entry records their further engagement with Peter Melekin for twenty-seven days.<sup>9</sup> In the same account we have money charged for transport of treasure from London to Hertford under the charge of Burdin and his men. Why money should

<sup>1</sup> Pipe Roll, 27.<sup>2</sup> Id. 135.<sup>3</sup> Id. 20, 66.<sup>4</sup> Id. 11.<sup>5</sup> Id. 51, 62, 66, 157.<sup>6</sup> Id. 110.<sup>7</sup> Id. 81.<sup>8</sup> Id. 47.<sup>9</sup> Id. 185.



be taken from London to Hertford, except to be coined, we cannot think; if so, that would make an eleventh mint, as already suggested. Frequent entries tell of the cartage of treasure from London to the several minting towns, with final return to London or Winchester. The Tower now first appears as a place of deposit<sup>1</sup> for valuables, but the castle at Winchester is still the chief treasure-house. Further, we notice the fact of money being brought from the *magna recepta Pasche*, a proof that the Easter Audit was not the insignificant affair suggested by the *Dialogus*. Small sums are commonly allowed the coiners for necessities, but Philip of Aymeri has as much as £20 given him. This does not tally with the chronicler's assertion that he was found guilty of malversation and dismissed. Perhaps his disgrace came later. In some places houses were hired for the minting, and one or two of the chief artists have £1 allowed them for a horse to ride. The tender of bullion for coining was under strict regulations, of the nature of which we are not informed, as already mentioned, but we hear of pure silver brought to be coined being forfeited, because brought "*contra assisam*".<sup>2</sup>

The corredy or procuration allowed the Queen by Glanville only amounted to £110 18s. 8d.<sup>3</sup> as against £247 3s. 1d. paid to her by the King in the previous year.

In the matter of building operations we have a further sum of £110 expended on Waltham Church and £50 at Amesbury; £230 at Dover, on the wall of the inner ward,<sup>4</sup> besides lesser sums at Carmarthen, Winchester, Arundel—then in hand—Shrewsbury, Orford, and Gloucester castles.

The revenue shows a recovery from the depth to which it had sunk in the previous year, and practically reaches that of the 25th year:

	£	s.	d.
Paid in or accounted for . . .	17,273	0	8½
Combustions (stated) . . .	103	13	10
	<hr/>		
	17,376	14	6½
	<hr/>		

<sup>1</sup> Pipe Roll, 156.<sup>2</sup> Id. 5, 129, Glanville's own writs.<sup>3</sup> Id. 160, "*argentum blancum*".<sup>4</sup> Round.

## 28 HENRY II

1181-1182. Taking the Roll in hand we welcome the appearance of the reform, ordered at various times, but seldom carried into effect, of relieving its membranes of accumulations of bad debts, lost, beyond hope of recovery, from men deceased, outlawed, or insolvent. The rotulet striking off these entries, county by county, fills eleven pages of the printed Roll. The actual year shows no direct call for money, and Judicial Iters only to a very limited extent.

Geoffrey of Lucy, Alan of Furnell, Hugh of Morewich, and Robert of Whitfield traverse Yorkshire, Staffordshire, Notts, Derby, Northants, Worcestershire, Wiltshire, Devonshire, and Cornwall; while Glanville, with associates not named, takes a tour through Hants and the Isle of Wight, the latter a district apparently never before troubled.

The *Placita Curiae*, on the other hand, go on increasing. In connexion with these we have an interesting deed of family settlement by way of fine (*cyrographum de finali concordia*), of the Shelley estates, entered on our Pipe Roll. We may also note it as introducing the whole bench of Justices of the *Curia*, sitting at Westminster. Precedence is given to two Bishops, namely, our friends Richard Toccliffe of Winchester and Geoffrey Riddell of Ely; then comes Glanville the Justiciar, and after him as Puisne Judges or assessors, Richard fitz Renfrid, Michael Belet, G. of Coleville, R. of Geddinges, Gervase of Cornhill, Osbert fitz Hervé, with other Barons and Justices.<sup>1</sup> The presence of the two Bishops bears out the statements of the chroniclers as to the composition of the new *Curia* court, or Court of King's Bench. The reference to 'other Barons', again, seems to suggest a sitting of the Exchequer. Richard fitz Renfrid, Michael Belet, and Osbert fitz Hervé have all appeared as Justices Itinerant. Not so the others.<sup>2</sup> It must be pointed out that the deed is dated after the close of our year, namely 12th November 1183.

Increasing proceeds from the Sees in hand are the feature

<sup>1</sup> Pipe Roll, 107.

<sup>2</sup> Neither G. of Coleville, R. of Geddinges, nor Gervase of Cornhill appear in Foss's list either.

of the year. Henry had shaken off his penitent fit, and the returns are the highest since the 18th year. The Northern Primacy was vacant through the death of Roger of Pont l'Evêque, who passed away 26th November 1181. Malmesbury also had lost its head.

	<i>Paid into the Exchequer.</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Lincoln . . . . .	817	15	8	1,276	19	9
York . . . . .	1,221	19	8	1,261	14	6
St. Edmund's, Bury . . . . .	42	17	4	109	0	8
Glastonbury . . . . .	9	4	6	223	0	0
Malmesbury . . . . .	—			18	0	0
	<hr/> 2,091 17 2 <hr/>			<hr/> 2,888 14 11 <hr/>		

The York returns include £141 8s. 9d. for Peter's Pence. Of this sum £11 10s. are passed on to Canterbury, as a contribution towards her debt to the Holy See.<sup>1</sup> We note with satisfaction the standing allowance of £5 a year for a schoolmaster at York.

Of the money accounted for under Glastonbury Abbey, a Benedictine foundation, the larger part is given to the Cistercians, robbing Peter to pay Paul, and this brings us to the third of Henry's votive foundations for the murder of St. Thomas, namely, the small Cistercian House at Witham in Somersetshire, known as Charter-House-on-Mendip, and reputed the earliest Cistercian foundation in England. £80 are expended there for a start. A further sum of £25 goes to Cluny.<sup>2</sup>

Among other miscellaneous returns we have £91 15s. 4d. from the fair of Holland, "pointing to the growing trade of Boston";<sup>3</sup> while the Orford customs sink to £6 16s. 6d., perhaps in consequence of freer trade allowed to other ports.

Newly come into hand is the County Palatine of Chester through the demise of Earl Hugh 'of Kyvelioc' son of Ranulf. But the sum accounted for only amounts to £269 0s. 11d., with some small dues "and the primitive render of forty cows".<sup>4</sup> Not newly fallen in, but only now accounted for, are 'the lands of Henry of Essex', otherwise the Honour of Rayleigh, forfeited

<sup>1</sup> Pipe Roll, 62.

<sup>2</sup> Id. 115; and Lewis, Topog. Dict.

<sup>3</sup> Id. 47.

<sup>4</sup> Id. 148, and Round, Introduction thereto.

by the unfortunate Constable Henry of Essex for alleged misconduct in the Welsh war of 1157.<sup>1</sup> The lands ever since had been in the custody of Ralph Brito or le Breton. But year after year the entry on the Roll runs that Ralph has either accounted for the issues to the King in private, or is not to be called on to account for them. Now we find the lands in the custody of other men, and £230 10s. 1d. are paid in or accounted for; and along with that we have Ralph offering 1,000 marks (£666 13s. 4d.; £266 13s. 4d. actually paid down) to be relieved of all further accounting for these lands, or for the Honours of Boulogne that had also been in his hands. A minor fief that fell in within the year is that of Odinel of Umfraville, returned at £29 7s. 4d. for six months. £22 7s. 4d. are paid in; while Robert, Odinel's heir, is allowed £5 'for his maintenance in the King's service', with 40s. for clothing for Odinel's children.<sup>2</sup> Elsewhere 4s. have been allowed for clothing for a poor pensioner for a year, 6s. 8d. for one in better circumstances.<sup>3</sup>

The fines offered or promised this year, besides that of le Breton, come to amazing sums, and in some cases seem to call for explanation. Ralph, a Yorkshire Archdeacon, and Robert Provost of Beverley freely offer (*de dono suo*) 1,000 marks (£666 13s. 4d.) to be under the keeping and protection of the King, or his clerks. £100 are paid down. They also promise a further £200, but only of the old money.<sup>4</sup> For the like protection William de Male Palu offers £100 of the old, and as much of the new currency, and pays down £20. Hugh de Verli promises 500 marks, and pays 100 (£66 13s. 4d.) for the like favour on behalf of his son. Still stranger is the conduct of three men, Hugh fitz Gernagan, Ralph of Crammanville, and Richard of Wydville, who freely declare themselves the King's debtors in the respective amounts of £400, £100, and £100 (all in old money) without praying for any remission or benefaction whatever in return.<sup>5</sup> On our next Roll we shall find these men paying up handsomely, and getting receipts showing the rates at which the old money was accepted. Hugh fitz Gernagan will fulfil his promise of £400 of old money by tendering £343 15s. 11d. of new money, *plus* £24 16s. 8d. of tested silver

<sup>1</sup> Round, Introduction to Roll.

<sup>2</sup> Pipe Roll, 17 H. II, 130, 143.

<sup>3</sup> Pipe Roll, 49, 50.

<sup>4</sup> Id. 45, 46.

<sup>5</sup> Id.



(*argentum blankum*), presenting an equation as to the rate of the exchange that we cannot pretend to solve. Simpler rates are shown by the payments of the other men who get quittances for £100 of old money, the one for £83 6s. 8d., and the other for £89 11s. 8d.,<sup>1</sup> say, roughly, discounts of £10 and £17 per cent. But under Henry everything was capricious and irregular.

These cases of prompt payment were exceptional. A good illustration of what these big fines more often came to may be found in the history of the £1,000 offered by the late Hugh Bigod to Henry at Nottingham, in the 11th year, for undisclosed favours. He had paid down £333 6s. 8d., or 500 marks, leaving £666 13s. 4d. or 1,000 marks owing. In the 22nd year (1175-1176) his son Roger had compounded with the King for £466 13s. 4d. in full for all money claims against his father or himself, including all liabilities and penalties incurred in connexion with the late rebellion; he had then paid down £133 6s. 8d., leaving 500 marks owing. He had paid nothing since, and now obtains a full quittance for the whole.<sup>2</sup>

The issue of the new coinage still goes on. Roland is kept on at Winchester for a whole year with Burdin le Brun in London and Martin du Pal at Worcester, but both only till Easter.<sup>3</sup> It is curious that the old native moneyers are always styled *monetarii* in contradistinction to the new *cambiatores* or *cambitores*, as if their functions were not altogether the same.

The King's building operations are pushed on with ever-increasing vigour.<sup>4</sup> For ecclesiastical work a further sum of £202 is expended at Waltham, with £38 on the nunnery at Amesbury, and £20 on the Carthusian House at Witham in Somerset. The castle-building and repairs to fortifications go on all over the kingdom. Passing over minor outlays at Northampton, Bristol, Bridgenorth, Carmarthen, and other places, we have £66 spent on a fort at "New" Hastings—mark the name; at Freemantle, a newly established country seat destined in the future to charm the retirement of the poet Cowper, we have an expenditure of £118 4s.; at Nottingham

<sup>1</sup> Pipe Roll 29 H. II, 53, 54. Not a suggestion is to be found in either case as to what the men were to get in return; probably they had incurred some penalty.

<sup>2</sup> Pipe Roll, 65.

<sup>3</sup> Id. 77, 159.

<sup>4</sup> Round remarks that "the passion of the King for this form of expenditure has been somewhat overlooked", Introduction to Pipe Roll.



the sheriff has spent £216 12s. 8d. on the King's hall and the King's chamber (*aula-camera*); and £186 18s. 5d. on the hall at Clarendon, with a 'garden of herbs' (*herbarium*).<sup>1</sup> At Arundel, an Honour only in hand during the nonage of the heir Richard fitz Alan, £145 2s. 5d. are spent for a chamber for the King, and repairs to the walls; also £81 15s. 5d. for a new chamber for the King at Stanstead.<sup>2</sup> At Salisbury the Keep (*turris*), with trifling repairs, is found to be strong enough to be chosen as a fresh place of deposit for treasure; and we have iron-bound chests for treasure provided, and treasure forthwith brought thither from Winchester.<sup>3</sup> But Dover tops the list with £807 10s. expended there, namely £507 found by the Sheriff of Kent, and £300 paid out of the Treasury.<sup>4</sup> Minor works of interest are repairs to the chapel in the castle at Winchester dedicated to St. Josse (*Indocus*), "whose relics had been translated to Winchester from Ponthieu nearly three centuries before".<sup>5</sup> With these we hear of the painting of the walls of the King's chamber there.<sup>6</sup>

For the Queen's corredo only £20 are entered as allowed by Glanville, with £6 7s. for clothing.<sup>7</sup>

Four shillings and sixpence are paid for the wax and strings for the seals of the Bishops attesting the King's Will.<sup>8</sup> Their attestation proves that the Will must have been published before the King's sailing, namely before the 3rd March 1182. The exportation of corn to Norway is still forbidden. Again, we seem to have evidence of an Audit being held at Oxford.

With the Sees and Honours in hand and the big fines, the revenue rises over £3,000 above that of the previous years, without any special tallage or *Donum* having been called for.

The Combustions of the year are not given, but we will take

<sup>1</sup> Pipe Roll, 20, 84, 88.

<sup>2</sup> Id. 91.

<sup>3</sup> Id. 84, 139. That Old Sarum (*Vetus Saresburia*) was already abandoned and waste appears from Pipe Roll 21 H. II, 205.

<sup>4</sup> Id. 151, 155.

<sup>5</sup> Round, Introduction to Pipe Roll.

<sup>6</sup> Pipe Roll, 146. Round writes: "One is tempted to ask whether the above chamber was identical with that which Gerald of Wales describes as '*Cameram Wintoniensem variis picturarum figuris et coloribus venustatam*' in a blank space of which the King '*depingi fecit*' that awful allegory of himself torn to pieces by his sons (*Giraldus*, VIII. 295). The picture he describes must have been painted before the death of the Young King in 1183." Introduction.

<sup>7</sup> Pipe Roll, 109, 159.

<sup>8</sup> Id. 159.

the mean between the Combustions of the previous and those of the following years, namely £108:

	£	s.	d.
Revenue . . . . .	20,853	11	2
Combustions, say . . . . .	108	0	0
	<hr/>		
	20,961	11	2
	<hr/>		

## 29 HENRY II

1182-1183. Three Judicial Circuits divide the country this year, with very unequal tasks allotted to the Itinerants.

Thomas fitz Bernard, Alan of Furnell, and Robert of Whitfield traverse Gloucester,<sup>1</sup> Staffordshire, Warwick, Leicestershire, Notts, Derbyshire, Salop, Yorkshire, Northumberland, Westmoreland, and Cumberland.

Roger fitz Renfrid, William Rufus, and Michael Belet administer justice in London and Middlesex, Surrey, Sussex, Beds, Bucks, Berks, Cambridgeshire, Hunts, Northants, Norfolk, and Suffolk; and, with the help of Thomas fitz Bernard, Essex, Herts, and Hants.

Glanville with Michael Belet takes Somerset, Dorset, and Cornwall, sparing Devon.

In these arrangements we seem to have a Northern Circuit, a Home Circuit, and a Western Circuit.

On one and the same page of our printed Roll<sup>2</sup> we have "*Placita Scaccarii*" clearly distinguished from "*Placita Curie*". This seems to clearly establish the separation of the two Courts of Exchequer and King's Bench.

With respect to the Sees in hand it will be seen that though we get £107 13s. 11d. from the Bishopric of Chester, Lichfield, and Coventry, vacant since the death of Richard Peche (6 October 1182), yet the proceeds are slightly less than they were last year, owing to the filling of Lincoln by the appointment of William of Coutances, a Frenchman. But the proceeds up to the time of his appointment in July (1183) are accounted for.

<sup>1</sup> On the Roll Thomas fitz Bernard alone appears as holding pleas in Gloucestershire and Staffordshire, but see Round, Introduction, xxiv.

<sup>2</sup> p. 158.

Under York we have, in addition to the primary account, corresponding fairly with that rendered in the previous year, an extraordinary account, of arrears and sundries, including some items of Peter's Pence, apparently made over to the King:

	<i>Paid into the Treasury.</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Chertsey . . . . .	—			71	6	8
Lincoln . . . . .	512	9	8	714	17	0
York, with Synodal arrears and sundry . . . . .	1,738	3	4	1,790	10	10
Northampton Archdeaconry . .	81	3	0	108	13	1
Lichfield, Chester, and Coventry	99	17	7	107	13	11
	<hr/> 2,431 13 7 <hr/>			<hr/> 2,793 1 6 <hr/>		

An unexpected *bonus* to the revenue presents itself in the shape of the rents and issues of the great earldom of Leicester, amounting to £572 16s.,<sup>1</sup> for half the year. Henry, detained abroad by the quarrels and misconduct of his graceless sons, fearing the possible outbreak of a sympathetic rebellion at home, had ordered the fresh arrest of the Earl (Robert III of Beaumont) and other men involved in the rising of 1173.<sup>2</sup>

From the Fair of Holland £107 19s. 5d. come in; but the 'Customs' of Orford disappear. We have already referred in anticipation to the extraordinary fines of £400, £100, and £100 now paid as of free gift, for no disclosed returns, by Hugh fitz Gernagan, Ralph of Crammanville, and Richard of Wydville, and the indications they give of the rates at which the old currency was exchanged for the new.<sup>3</sup> On our present Roll the amercements for contraventions of the new currency ordinances are endless; even towns in their corporate capacities are found offending. The *communa* of Carlisle is amerced 10 marks (£6 13s. 4d.), and that of Newcastle-on-Tyne 26 marks (£16 13s. 4d.), "*pro escambio contra assisam*".<sup>4</sup> We have a man mulcted for having bought and sold with the old money.<sup>5</sup>

We note that the sheriff accounts for money due to the late William de Vesci; and again that a family fines to be allowed

<sup>1</sup> Pipe Roll, 40, 153, 154.

Benedict, I. 294.

<sup>3</sup> See above, p. 140.

<sup>4</sup> Pipe Roll, 5, 150.

<sup>5</sup> Id. 111.

the goods of a departed ancestor, William of Tickhill.<sup>1</sup> These entries bear on the question of the King's general appropriation of the effects of deceased subjects. In these cases de Vesci of course was a tenant *in capite*, and William of Tickhill presumably the same.

Among miscellaneous penalties we have a man amerced £5 for having stood bail for an excommunicated priest;<sup>2</sup> while under the never-ending Forest penalties of the 23rd year £19 could still be exacted from the men of Northamptonshire, and £25 13s. 4d. from those of Wilts. Mr. Round speaks of the small fines inflicted on the Hundreds or Wapentakes for *Murdrum* as the feature of the pleas of the year. Perhaps they were; but the reader must be warned that the amount of undetected homicide, not merely in the twelfth century but for long years to come, would utterly shock him.

The Cumberland mines must have been very badly managed in one way or another. At any rate so far as the King was concerned, they were very unproductive. Our Roll shows £2,230 due to the Crown from various farmers. A fresh letting is arranged, with a new farmer, and sureties for £146 13s. 4d. But only £94 13s. 4d. are paid in.

Of the expenditure of the year the building operations again furnish the most noticeable items. Waltham receives further grants to the amount of £318 7s. 10d.,<sup>3</sup> and Amesbury to the sum of £83 12s. 4d.; while Witham, the third votive church, has £40 towards building and maintenance, besides a landed endowment of £10 to appear among the *Terrae Datae* of Somerset. As for castles, halls, and country seats, sums large and small are spent at Bridgenorth, Richmond (Yorkshire), Pickering, Winchester, Exeter, Oxford, Northampton, Nottingham, Gloucester, Arundel, Bedford, Salisbury, Clarendon, and Bam-borough. Again we may point out that attention is duly paid to the stocking and upkeep of fiefs come temporarily into hand through the nonage of the heir. At Hereford we have victualling for a small garrison kept there, as in a previous year at Neath.<sup>4</sup> But the great fortress at Dover again heads the list, the Sheriff of Kent returning £483 10s. as having been provided by himself.<sup>5</sup>

<sup>1</sup> Pipe Roll, 54, 140.

<sup>2</sup> Id. 69.

<sup>3</sup> Id. 19, 33, 41, 57, 75.

<sup>4</sup> Id. 47, 104, 134.

<sup>5</sup> Id. 160.

In the way of allowances, the Countess of Brittany, Constance, Geoffrey's wife, receives £28 6s. 4*d.* on account of her jointure.<sup>1</sup> The Earl of Leicester for his 'procuracion' from Whit-Sunday to Michaelmas, 14 weeks and 4 days, has £22 6s. 2*d.*, being 4s. 4½*d.* a day, or £80 a year, besides £3 6s. 8*d.* for clothing.<sup>2</sup> His Countess, Petronilla or Pernelle, heiress of the great Grandmesnil fief, has 3s. a day or £60 a year for herself, her daughter, and her servants;<sup>3</sup> while Queen Eleanor, the heiress of Guyenne, has to content herself with £20 of 'corredy' or 1s. a day. She is not even allowed the petty perquisite of £1 1s. 1*d.* from wool from some lands in Berkshire that she used to have.<sup>4</sup> As her allowance was paid out of the Berks revenues it has been suggested that she had been established at Windsor. Established at Windsor on 1s. a day! But our next Roll will show that she actually was there.

Treasure was sent abroad to the King in Lent (March-April), at Whitsuntide, in August, and in September. The treasure was brought to Southampton under the charge of the Treasurer's clerk and the assistants of the Chamberlains, i. e. the Deputy Chamberlains.<sup>5</sup>

For the fourth year running the revenue continues to rise, and attains to an amount only three times realized before, as follows :

	£	s.	d.
Paid in or accounted for . . . . .	22,199	16	1½
Combustions . . . . .	116	9	3
	<hr/>		
	22,316	5	4½
	<hr/>		

<sup>1</sup> Pipe Roll, 56.

<sup>2</sup> Id. 153.

<sup>3</sup> Id. 75.

<sup>4</sup> Id. 134, 135.

<sup>5</sup> Id. 148, 149.



## 30 HENRY II

1183-1184. Four circuits appear this year, embracing a moderate number of Midland and Southern counties.

William Basset and Robert of Whitfield take Warwick and Leicester.

Ranulf Glanville, apparently *solus*, visits Berks, Oxon, Essex, and Herts;

In company with Roger fitz Renfrid and William Basset he visits Northants, while

William Basset, Robert of Whitfield, and Ranulf of Geddinge judge Worcestershire.

The proceeds from Sees in hand rise: Canterbury and Rochester having fallen vacant, the former by the death of Archbishop Richard (16 February 1184), and the latter by the death of Bishop Waleran (29 August 1184). The united See of Lichfield, Chester, and Coventry again contributes, through the early demise of Gerard La Pucelle, who, having been consecrated on the 25th September 1183, in succession to Richard Peche, passed away 13th January 1184. With respect to the receipts from Lichfield we note that Peter's Pence are returned as amounting to £21 9s. 7d. Of this sum £11 9s. 7d. go into the Treasury, the balance, £10, being left due. At York the Peter's Pence come to £107 12s. 8d., of which, as last year, £11 10s. are sent to the Holy Father on account of Canterbury, the rest again falling to the King's fisc.

## Sees in hand

	<i>Paid into the Exchequer.</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Lichfield, Chester, and Coventry, with Archdeaconries . . . . .	56	11	5	113	18	6
York, with Archdeaconries, Synodals, &c. . . . .	1,405	1	6	1,736	16	0
Rochester, one quarter . . . . .	71	16	6	71	16	6
Canterbury, whole year . . . . .	853	12	0	1,233	8	2
	<hr/> 2,387 1 5 <hr/>			<hr/> 3,155 19 2 <hr/>		

It is interesting at this point to compare the revenues enjoyed by our spiritual magnates with those enjoyed by our lay magnates. We have two earldoms and one great barony in hand. The Earl of Leicester, arrested at Easter-time 1183, was released and reinstated at Easter 1184; so that between our last Roll and the present one we get a whole year's income; Arundel, with Petworth, had long been in hand, through the nonage of the heir; Gloucester was vacant through the death of William, son of Robert, Matilda's champion (3 November 1183); while William de Vesci of Alnwick likewise had passed away during the year. Their revenues are returned as follows:

	£	s.	d.	£	s.	d.
Leicester, half the year . . .	568	16	0	}	690	16 7
Do. . . . .	122	0	7			
Gloucester (full return) . . .					839	6 11
Arundel (Farm of) . . . . .					536	16 9
Honour of De Vesci (half-year) . . .					178	12 6

Turning to our Table of the Sees in hand we find that the revenues of one archbishop are double, and those of the other archbishop are one-third greater than those of the richest earl in England. These clerical endowments, come down from Old English days, seem uncalled for and extravagant. But to the leisure of the monastic clergy we owe all our chronicles and records; and to their wealth we are indebted for the churches and cathedrals that are our pride and delight. That was, after all, money better spent than money lavished on baronial castles and the maintenance of retainers, fraught with dangers to the public peace.

The Orford Customs reappear, but only to the amount of 13s. 4d. Individuals and towns are still being mulcted for offences against the new currency 'assize'; a man fines to have a decision given in a baronial court recorded in the King's Court; another is amerced 10 marks for leaving the country (*terra Regis*) without leave.<sup>1</sup>

With regard to the primeval doctrines relating to Pledge (*plegium*, *plevina*) and Distress (*naam*, *namium*, *namnum*) the Rolls offer frequent illustrations. Distress, in fact, is but a form of pledge; it is the seizure of a chattel to compel a man to render

<sup>1</sup> Pipe Roll, 8, 34.

to another man his right, either "by doing something or by leaving something undone". The distrainer may not appropriate the distress, nor sell it, nor make use of it. He must simply keep it as a pledge.<sup>1</sup> The tender of a pledge again was the proper preliminary to the institution of legal proceedings. To refuse to tender or accept a tendered pledge was a refusal to submit a dispute to arbitration or legal course. Under primitive Celtic custom, known as Brehon Law, which knew of no coercive jurisdiction, the man who refused to give a pledge could only be denounced as an enemy to God and man.<sup>2</sup> But at the period that we have reached, the refusal to accept or give a pledge subjected a man to definite penalties. The right of distress likewise was only exercisable under strict conditions; but within those limits it was protected by the law. Thus we have a man amerced 10 marks for having distrained goods in a case which was before the courts.<sup>3</sup> Another man is fined five marks for having refused to give 'bail and pledge' (*evadum et plegium*) to the Justices;<sup>4</sup> or again for having refused a pledge to a poor woman.<sup>5</sup> Roger Mortimer owes £100 on a penalty of £100 inflicted on his father for having refused to restore cattle to a tenant who tendered a pledge, 'as ordered by the King' ("*Quia non demisit homini suo averia sua per plegium sicut Rex praecepit*"<sup>6</sup>). On the other hand, the forcible attempt to recover distrained chattels (*excutere namium*) was a serious offence as involving a breach of the King's peace.<sup>7</sup>

As an instance of a sweeping penalty inflicted by the King himself for an unexplained offence, we have the case of Jurnet, a Norwich Jew, who pays in 20 marks, on account of an amercement of 6,000 marks (£4,000), which came down on him, or, as he puts it, into which he fell (*in quam incidit*) at Windsor. But

<sup>1</sup> Pollock and Maitland, I. 353.

<sup>2</sup> See Foundations, I. 19, also Ezekiel, XVIII. 7, 12, for the denunciation of one who "hath not restored the pledge".

<sup>3</sup> "*Quia judicavit capere in nammum catalla Ald' de quo placitum erat*"; Pipe Roll, 48. Irregular distress was *namium vetitum*. Cf. "*v marcae pro quadam plevina quam negavit et postea cognovit*"; Pipe Roll 23 H. II, 65.

<sup>4</sup> Id. 101.

<sup>5</sup> "*Quia negavit plevinam Johanne*"; Pipe Roll 25 H. II, 90. "*Quia negavit plegium Walteri*"; 22 H. II, 182.

<sup>6</sup> Pipe Roll 30 H. II, 90.

<sup>7</sup> "*Pro namis excussis v marcae*"; Pipe Roll 28 H. II, 53. See also Pollock and Maitland, II. 577.

the strange thing is that although Jurnet was the transgressor, he was only to be held responsible for 473½ marks of the 6,000, the whole collective Jewry of England being liable for the balance. He pays in just £20 on account; the others nothing,<sup>1</sup> and, apparently, nothing more was ever paid by them<sup>2</sup> or him.

Another good instance of the course that these big penalties and fines often ran may be found in the case of William son of Richard of Cahaignes or Keyns, who owes £500 odd of an old debt due by his father. It has been arranged that he is to pay it off by yearly instalments of £38. He pays in just £4 10s.<sup>3</sup>

A curious incident, not easy to follow, was the following: Hakelin, a Jew, son of Joce Quatrebuches, promises £100, and pays down £66 13s. 4d., to be saved legal proceedings for having assaulted (*percussit*) a knight (*militem*), apparently one Eustace of March (*Merch'*), and Eustace himself had been sworn to silence in the matter. But one Moses of Cambridge, having admitted that he was present when Eustace was sworn to silence, is amerced 20 marks. The King, wishing to make peace between the parties, orders £3 due by Eustace to Hakelin to be paid; and grants Eustace himself a *solamen* of "forty shillings".<sup>4</sup>

To take up the expenditure of the year. The building at Waltham and Amesbury must be considered ended or well advanced, as we have come to lead for the roofing in either case. But the work at Witham was less advanced, as a further sum of £100 had to be provided there. Hitherto the head of the little community at Waltham has simply been Master Walter of Gant; now he appears as Abbot. This confirms the statement of the chronicler "that Henry visited Waltham this year and made Walter of Gant its first abbot".<sup>5</sup> He also gave the canons 40 marks, and the abbot 60 marks 'for his debts', perhaps expenses incurred in connexion with his promotion. Walter apparently had been in charge of the works and might be considered the architect of the new church.

Castle-building is not suspended, but continued at a reduced rate, except at Dover, where £680 are expended on the Keep,

<sup>1</sup> Pipe Roll 30 H. II, 9.

<sup>2</sup> Pipe Roll 33 H. II, 121.

<sup>3</sup> Round, Introduction to Pipe Roll, xxvi.

<sup>4</sup> See below under the 33rd year.

<sup>5</sup> Pipe Roll, 142.



£420 being drawn from the Treasury, and the rest from the issues of Kent.<sup>1</sup> The repairing of Grosmont Castle, and the fortifying of Kenfig (Glamorgan) with palisades and wooden turrets (*breteschcs*); and the provisioning of garrisons at Neath and Carmarthen,<sup>2</sup> were measures called for by a sudden outbreak on the part of the Welsh Prince Rhys ap Gruffudd, who wasted Glamorgan, attacked Cardiff, and laid siege to Neath, till driven off by troops sent by Glanville.<sup>3</sup>

To finish with the year's building we hear of repairs to the quay (*kaium*) at Westminster; of raising of the floor of Westminster Hall; and of the establishment of a costly lavatory there.<sup>4</sup>

We are glad to notice a further substantial improvement in the position of the Queen. For her maintenance from the 1st April to the 25th June she is allowed a 'corredy' of £32 14s., or some 7s. 8d. a day, with £55 17s. for robes for herself and one Bellebelle, presumably her maid. The £1 1s. 1d. from wool from the Berkshire manor still goes into the fisc, but Eleanor is reinstated in Queenhythe, which the Londoners had been farming for £42 a year.<sup>5</sup> For the better treatment that she was receiving she was probably indebted to the approaching visit of her daughter Matilda, Duchess of Saxony. Since his fall in 1180, Henry the Lion had been established by the King in Brittany. In June the Duchess crossed from Wissant to Dover, two days after the King, who came over on the 10th June. From Dover Matilda went to London, where she was joined by her father and her sons. From London she went down to Winchester where she gave birth to her youngest son, William of Winchester, ancestor of the Ducal House of Brunswick, and the Royal families of Hanover and England. Later we hear of the Duke, and, presumably, the Duchess also, as being at Berkhamstead with the Queen; and again at Windsor; as we hear of their effects (*harnasium*) being sent by water to London.<sup>6</sup> For her *corredy* in London Matilda had £7 12s.; while her servants, with their horses, had an allowance of £17 6s. 8d. for sixty days of their stay there, or 7s. 8½d. a day.<sup>7</sup>

<sup>1</sup> Pipe Roll, 150.

<sup>2</sup> Id. 25, 110, 111.

<sup>3</sup> See Ben. P. and the Annals of Margam (Rolls Series).

<sup>4</sup> Pipe Roll, 136, 137.

<sup>5</sup> Id. 70, 134, 138.

<sup>6</sup> Id. 58, 134.

<sup>7</sup> Id. 137.



Other distinguished visitors received during the autumn were the Archbishop of Cologne and Philip Count of Flanders, pilgrims to the shrine at Canterbury. The Count was indebted to the King for help in a precious intrigue to evade the promise of the Vermandois given by the Count to King Philip of France, if he, the Count, should die without an heir. To find Philip a bride who might present him with the desirable heir, Henry had sent to Portugal, and found a willing Princess in Theresa or Matilda, daughter of Alphonso I of Portugal. The diplomatic mission to Portugal had been entrusted to William of Braose of Barnstaple. The King's own yacht (*esnecca*), after being specially fitted up, was sent to Lisbon for the Princess, and landed her at La Rochelle. From Rochelle she was passed on through the King's dominions till she was delivered to the Count on the borders of Ponthieu in the last days of December 1183. Immediately afterwards she was married at Poix, the nearest town of Philip's allegiance.<sup>1</sup> To return to the Archbishop of Cologne and the grateful Count. Henry went to meet the distinguished pair, and sent them wine of the best sort (*dominicum*) for their use, namely twelve *touels*, costing £1 17s. 5d. the *touel*. Ordinary wine for common use (*dispensabile, vin ordinaire*) might cost £1 the *touel* or little more.<sup>2</sup>

As a unique instance, so far, we may record the execution of a cleric, one Martin, brought with another culprit, a layman, from Newport in the Isle of Wight to be hung at Winchester.<sup>3</sup> We have often had clergy amerced, but never before such a one put to death.

The Combustions of the year are not given us. But as the general revenue is a little below that of last year we will take a slightly smaller sum than that of last year for the Combustions, say £100.

	£	s.	d.
Revenue paid or accounted for . . . . .	20,992	1	11½
Combustions, say . . . . .	100	0	0
	<hr/>		
	21,092	1	11½
	<hr/>		

<sup>1</sup> See Angevin Empire, 219; Pipe Roll, 58, 80, 137, &c.

<sup>2</sup> Pipe Roll, 136, 145.

<sup>3</sup> Id. 130.

## 31 HENRY II

1184-1185. Henry seemed to think it due to himself periodically to issue drastic Ordinances, especially after prolonged absence abroad, as if to correct any laxity of administration that might have crept in during his absence. As in 1166 we had the Assize of Clarendon; in 1176 the Assize of Northampton; and in 1170 the Inquest of Sheriffs; so now we have in the Assize of Woodstock a code of Forest Ordinances, scarcely less inhuman than those of his grandfather.<sup>1</sup> To give effect to these we have in addition to the ordinary eyres a sweeping Forest Iter held in two comprehensive circuits. At the death of Thomas fitz Bernard, late Chief Forest Justiciar, the King had divided the office, taking the Trent as the dividing line, and appointing Justiciars to act North and South of that river. The Southern jurisdiction was conferred on Geoffrey fitz Peter, future Earl of Essex and Chief Justiciar—a bad introduction into life for a young man just about of age, who would thus start with the administration of the harshest and most unpopular branch of the law. The Northern district was entrusted to Ernest (*Ernisus*) of Neville, supported by Nigel fitz Alexander, Roger of Hoveden (the chronicler), Geoffrey of Hay, Richard of Hungerford, and Henry Norreis, these probably acting by turns.

For the ordinary judicial work we have four or five circuits, pretty well mapped out.

Geoffrey of Lucy, Hugh of Morewich, and Hugh Murdac take Lancaster, Yorkshire, Northumberland, Cumberland, and Westmoreland.

Roger fitz Renfrid, William de Vere, and William Ruffus take Essex, Herts, Suffolk, Norfolk, Cambridgeshire, Hunts, Lincolnshire, Warwickshire, Leicestershire, Notts, Bucks, Beds, Kent, Surrey, London, and Middlesex; a large allowance, but, as to some of these counties, they have the help of Richard of the Peak, Otho fitz William, and Joscelin Archdeacon of Chichester, or of some or one of them.

Gilbert Pipard, William fitz Stephen, Michael Belet, and Walter

<sup>1</sup> For details see Angevin Empire, 223.

Map (the satirist) take Worcestershire, Gloucestershire, Herefordshire, Salop, and Staffordshire.

Richard Archdeacon of Wilts, Joscelin Archdeacon of Chichester, Hugh Bardolf, Ralph fitz Stephen, and Geoffrey fitz Azzo take the extreme West, namely Wilts, Dorset, Somerset, Devon, and Cornwall.

Glanville the Justiciar again takes a solitary tour in state, namely, through Oxfordshire.

*Dona* of 40 marks (£26 13s. 4d.) are assessed on the counties of Somerset and Devon and the city of Exeter; Dorset and Cornwall being let off with 30 marks (£20) each.

In his Forest Ordinance Henry, apparently seeking to re-establish the law as under his grandfather, informs the lieges that in future pecuniary compositions will no longer be accepted. There will be no place for *misericordiae* in such matters. The Forest offender will have to suffer 'full justice', i. e. barbarous mutilation. So too the Forester who allows the King's wood to be destroyed will answer for it with his body.<sup>1</sup> We are glad to be able to say that undeterred by this threat the Forest Justiciars did not feel themselves bound to act up to the King's severity. We find men amerced varying sums from half a mark to ten marks for keeping dogs, or having bows and arrows in their possession within the Forest areas, or the like.<sup>2</sup> But we fear that it would go hardly with the men found with venison (*venatio*) actually in their houses. Such in fact we find sold up, and taking sanctuary as fugitives; or being led away to prison as a prelude to execution.<sup>3</sup> Detention in jail as a punishment does not seem as yet to have come into use.

Wardships and escheats, large and small, keep falling in for the benefit of the revenue, and, in particular, we have the Honours of Northampton, Huntingdon, and Gant. The earldom of Northampton was vacant through the death of Simon of St. Liz III, the last of his House. Gant was a Lincolnshire estate, held by one Simon in right of his late wife Matilda of Gant. Huntingdon is farmed to Neville for £172 17s. 8d. a year, and Gant for £115 4s. 8d. a year. We find one Robert of Gant offering "the enormous fine" of 1,000 marks (£666 13s. 4d.) for

<sup>1</sup> See Angevin Empire, 223; and Turner, Pleas of the Forest.

<sup>2</sup> Pipe Roll, 193, 194.

<sup>3</sup> Id. 20, 167.

the furtherance of his pretensions to some of these lands. He only pays down 50 marks, however (£33 6s. 8d.), but he gives the King a mortgage of Folkingham as a security for 100 marks a year.<sup>1</sup>

The returns from the Sees in hand rise again, as, in addition to the churches of the previous year, we get the Abbeys of Abingdon, Selby, St. Mary's York, Bardney, St. Werburgh's Chester, Middleton, Tavistock, and Salisbury; with the bishoprics of Worcester and Exeter; the latter vacant through the death of Bishop Bartholomew (15 December 1184); and the former by the translation of Bishop Baldwin to the Primacy, whereby we lose Canterbury. In the case of Selby we must notice that the *custodes* lay hands not only on the capitular revenues, but also on the abbot's hoard, namely £278 os. 8d. of 'old money', valued at £169 2s. 1d. of 'new money'.<sup>2</sup> This again bears on the question of the King's claim to rank as the residuary legatee of the personal property of all his subjects. But this money is paid into the Exchequer, and so does not bear on the darker question, the King's unreturned means.

	<i>Paid into the Exchequer.</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Abingdon . . . . .	65	0	0	207	8	7
St. Mary's, York . . . . .	—			454	19	11
York . . . . .	976	5	0	1,236	6	5
Selby . . . . .	89	17	2	325	18	9
Bardney . . . . .	30	4	8	195	10	0
Lincoln . . . . .	596	10	2	687	4	9
Worcester . . . . .	140	8	3	157	12	2
Lichfield, Chester, and Coventry	28	7	5	85	5	6
St. Werburgh's, Chester . . . . .		6	11	81	15	11
Exeter . . . . .	153	11	5	213	5	5
Middleton . . . . .	19	7	3	39	12	10
Tavistock . . . . .	28	12	8	70	14	5
Salisbury . . . . .	81	14	11	93	0	4
Rochester . . . . .	98	8	4	175	7	0
	<hr/> 2,308 14 2			<hr/> 4,024 2 0		

The Orford Customs still appear, but only to the modest amount of £1 10s.

<sup>1</sup> Pipe Roll, 60, 91, 92, and Introduction, Round.

<sup>2</sup> Id. 80.

The fines and amercements, as usual, tell instructive tales of the ways of the times. A man is amerced, very properly, for putting a man to the ordeal unjustly; a township is mulcted for hanging a thief without the intervention of Justice or sheriff's officers; the man who buries in private the body of one found drowned has to pay for it.<sup>1</sup> But it seems hard to amerce a man 30s. merely for having entertained a guest for a longer time than was allowable (*super assisam*). Above all, we must deplore the shameless profit-sharing to which the King could stoop, as when he accepts a mark out of every seven marks that a man may recover in a lawsuit.<sup>2</sup> In a partition suit between coheiresses we find one lady bidding 50 marks, and the other bidding 100 marks, to have her 'due share' (*de rationabili parte*) of the inheritance.<sup>3</sup> We may wonder which way will the balance of the King's favour turn. On the other hand, we must in justice to Henry note the case of a man, who, being in a scrape, pays down 40s. to be amerced by the King (*coram Rege*) rather than left to the tender mercies of the Justices.<sup>4</sup>

As quite a novelty we have a case of Breach of Promise of Marriage. William of Beaumont is called to account for having married the daughter of Maurice of Barsham, when he had promised to marry the daughter of Ranulf of Geddings; and Maurice of Barsham is charged with concurrence in the breach of promise, by giving his daughter to Beaumont. Both William and Maurice are heavily amerced. But the money does not go to the disappointed Geddings or his jilted daughter, but all to the King.<sup>5</sup> All roads lead to Rome. A sheriff may be punished for misconduct as well as any other man. The Sheriff of Yorkshire, being no less a person than Glanville the Justiciar, has to pay, and does pay, 5 marks, for having compelled a man accused of theft to abjure the realm without the assent of the Justices, when the man had passed the ordeal by water successfully. This assertion of the majesty of the law is very remarkable.<sup>6</sup>

<sup>1</sup> Pipe Roll, 15, 17, 71, &c.

<sup>2</sup> Id. 22, 35. In another case a man promises the half of whatever he may win, p. 39. Would Maitland describe this money as paid simply for "procedural advantages"? <sup>3</sup> Id. 60. <sup>4</sup> Id. 128. <sup>5</sup> Id. 43.

<sup>6</sup> Id. 70. For a much more serious charge brought by Round against Glanville see Introduction to the Roll, xxii.



A serious case of misconduct by an official was that of Robert of Vaux, who, having been Sheriff of Cumberland since 1174, was dismissed this year, and amerced 100 marks, the charges against him including several wrongful disseisins; allowing prisoners to escape from custody; and giving currency to the 'old money', after it had been condemned. He was also to blame for the great arrears in the farm of the Cumberland mines, of which we have spoken; and had neglected to take sureties, as directed by the Justices. But even under *custodes* the receipts from the mines for the year only come to £73 9s.<sup>1</sup>

The cloth trade at Lincoln seems to be developing; £115 worth and upwards of the fabric are bought for the King.<sup>2</sup> Fishing in the Severn and the Wye brings in £10 12s. 3d., a fishery on the Tweed only rendering 5s.<sup>3</sup>

To take the expenditure of the year, we are reminded of the Welsh outbreak of the previous year by money spent on rebuilding at Neath, Kenfig, Cardiff, Newport, and Llantilio (White Castle); also for pay for 300 foot-soldiers on garrison duty in those places; besides a flying column of 26 light horse (*servientes cum equitibus*), and 200 foot. We also have mounted men for serving writs.<sup>4</sup>

For a visit to Ireland, arranged for John, we have liberal sums paid out in cash, and for provisions, and for the pay of some Flemish mercenaries who came under one Gadescall. It is interesting to note that among John's followers was Theobald Walter, "well known as the founder of the great house of Butler". On the other hand, unbidden volunteers proposing to join are amerced and outlawed.<sup>5</sup> Henry wanted no more free-lances.

In the way of building, the works at Waltham and Witham having been finished, Amesbury comes in for £150;<sup>6</sup> at Nottingham the curtain wall is raised, and the bailey closed, at an outlay of £327 17s. 11d.;<sup>7</sup> at Gloucester the bridge and gate-house are repaired at a cost of £54. But the expenditure at Dover is again a record, rising to £1,248 18s. 4d. Of this sum £617 4s. 3d. were drawn from the Treasury.<sup>8</sup> The King's lavatory at Westminster gets a further £50;<sup>9</sup> and we hear of

<sup>1</sup> Pipe Roll, 187, 188.    <sup>2</sup> Id. 80, 81.    <sup>3</sup> Id. 8, 11.    <sup>4</sup> Id. 1-7, 196.

<sup>5</sup> Id. 143, 154, 202. For further details see Round's Introduction to the Roll.

<sup>6</sup> Id. 203-205.    <sup>7</sup> Id. 110, 117.    <sup>8</sup> Id. 234.    <sup>9</sup> Id. 43.

a keeper of London Bridge, the man at the time being a priest, at the salary, apparently, of a penny a day.<sup>1</sup> The Queen, as we have seen, was restored to favour in the previous year; and accordingly the only 'procuration' that we have on her account is one of £13 when she went down to Portsmouth with the Duke of Saxony, to cross the Channel in the King's yacht. Eleanor, in fact, was bound for Guienne, where she was to bring Richard to reason by simply taking Aquitaine out of his hands.<sup>2</sup> The Duke of Saxony and his men had been liberally treated and entertained by the King. For the 'procuration' of the Duke's younger son William, born at Winchester the previous year, and his household, from the 25th March to Michaelmas, £28 2s. 9d. are allowed.

A notable visitor received in the course of the year was Heraclius the Patriarch of Jerusalem.<sup>3</sup> He came to implore help for the Holy City, tottering to its fall before the assaults of Saladin, and to offer Henry the reversion of the kingdom of Jerusalem at the death of his second cousin Baldwin IV, who was childless and a leper. Henry had been charged, as part of the price of his absolution for his culpability in the matter of Becket's assassination, to take the Cross within three years from May 1172. Henry wisely declined the proffered Crown; but the Patriarch was invited to dedicate the Temple Church, i. e. the round chapel of the existing building.

Another name of great interest that appears on our Roll is that of "*Magister*" Vacarius, i. e. in modern form, "Vacarius M.A." With that scholastic distinction given to him, we cannot hesitate to identify him with the man brought by Archbishop Theobald to England, whose lectures at Oxford give us our first trustworthy notice of that University. On our Roll he appears as owning land in Nottinghamshire or Derbyshire. His estate must have bordered on or lain within the purview of a Forest, as he is amerced by Geoffrey fitz Peter 20s. for having committed waste in his own woods, and in other ways transgressed the rules of Forest Law.<sup>4</sup>

<sup>1</sup> Pipe Roll, 214. The priest has what "Bourguignon" had; and he had a penny a day; Pipe Roll 26 H. II, 135.

<sup>2</sup> Id. 206, 215.

<sup>3</sup> Id. 45. The Patriarch's procuration only amounts to £5 13s. 4d.

<sup>4</sup> Id. 114.

The reader has heard of Theobald Walter, *stirps* of the great Irish House of Butler. Our Roll introduces his brother Walter, destined as Chancellor-Archbishop and Chief Justiciar of England to rule both Church and State, with an accumulation of offices unparalleled. He now appears as an official of the Exchequer, paying out money for the wages of the soldiers in Wales.<sup>1</sup> From this fact we should infer that he was one of the Deputy Chamberlains.

Our Roll has a reference to a Receipt Roll of the same year, "*breve Recepte Thesauri*", as giving details of petty sums paid in, but not worthy of being given in detail on the Pipe Roll. A like reference to a corresponding Receipt Roll was found on the Pipe Roll of the 29th year (1182-1183). We have already spoken of the existence of these Receipt Rolls. That of our present year is extant, and has been printed by the London School of Economics, with an Introduction by Mr. Hubert Hall (1899). The record is incomplete; but it is most valuable and instructive. It not only gives fuller details, but also gives sub-totals (*summae*), a great advance on the Pipe Rolls, and an anticipation of the future Pell Receipt Rolls. But better still, it shows for the latter half of the year an absolutely unique balance sheet of the revenue, giving not only the money paid into the Exchequer, but also the amount of that paid out under the orders of the King, of the Chief Justiciar, with a statement of the balance left in hand, and how it was disposed of. The system of the Pipe Rolls, when compared with the methodical treatment of this Roll, seems very archaic.

Adopting arabic figures, we have the following Table:

	£	s.	d.
Summa predictarum 19 summarum . . . . .	10,397	5	4
Summa de ecclesiis . . . . .	1,678	1	2
Summa totius superioris receptae cum ecclesiis . . . . .	12,075	6	6
Summa exitus . . . . .	5,565	7	7
Summa remanentis cum ecclesiis . . . . .	6,509	18	11
Summa totius remanentis praeter ecclesias . . . . .	4,831	17	9

<sup>1</sup> Pipe Roll. The name appears indifferently as "Walterus" and "Walteri", the latter form might be rendered "Fitz Walter" or "Walters". But as their father also was Walter that should be considered the family name. The young Walters were nephews by marriage to Ranulf the Chief Justiciar, whose wife was their mother's sister.

Here the total of nineteen sub-totals already given, together with the receipts from 'the churches' (i. e. the Sees in hand) only comes to £12,075 6s. 6d., as against the £25,878 18s. 5½d., which we make of our Pipe Roll, while the returns from the churches only come to £1,678 1s. 2d. as compared with our £4,024 2s. But, of course, only the returns of half a year are given; doubling the sum, we get a total very like ours. Above we had "*Exitus Thesauri*" as a fund into which the Combustions, or super-tax on money that had to be blanched, were paid. Here they clearly denote expenditure. It is unfortunate that both in Latin and English one word (*Exitus*, issues) should be used to denote both payments and receipts. Why separate balances of the residues with and without the church return should be struck, does not appear. It suggests that the money in hand from the churches had been set apart and appropriated for some particular purpose. Apparently it was intended for the Templars and Hospitallers as mentioned in Henry's Will. Of the balance without the Church revenues amounting to £4,831 17s. 9d. the following is the account given:

"*De hac ultima summa posita fuerunt in thesauro Wintoniae quatuor milia libra ad reddendum quod inde captum fuit; et £131 17s. 9d. liberatae fuerunt cambitoribus Wintoniae ad faciendum proficuum Cambii quia non habuerant prius nisi 20 marcas. Et remanserunt apud nos £700 librae quae positae fuerunt ad Templum apud Londoniam.*"

The £4,000 which had been taken from the Treasury at Winchester was doubtless the money sent abroad to the King when he was out of the kingdom. But it is interesting to notice the even hand that he kept between his English and his Norman Treasuries, and that he would not allow the one to be depleted for the benefit of the other. The £131 17s. 9d. assigned to the Keepers of the Exchange at Winchester was clearly floating capital, to enable them to carry on a sort of banking-exchange and minting business. The Temple was of course the recognized place of safe-deposit in London, and the cash at the Exchequer would be placed there during the vacation.

Our revenue finally stands as follows :



	£	s.	d.
Paid in or accounted for . . . . .	25,878	18	5½
Combustions, say . . . . .	120	0	0
	<hr/>		
	25,998	18	5½
	<hr/>		

## 32 HENRY II

1185-1186. In the matter of Judicial Eyres we have four well arranged circuits.

Hugh of Morewich, Ralph Murdac, William le Vavas seur, and Thomas of "Husseburn" (Osborne) take Essex, Herts, Bucks, Beds, Cambridgeshire, Hunts, Norfolk, Suffolk, and Lincolnshire.

William de Vere, Ralph fitz Stephen, Robert of Inglesham, and Milo Muscegros (Musgrave) take Berks, Oxon, Worcester, Herefordshire, Salop, Warwick, and Leicester.

Richard Archdeacon of Coventry, Hugh Bardolf, and Alan of Farnell take Notts, Derbyshire, Yorkshire, and Northumberland.

Joscelin Archdeacon of Cirencester, William Ruffus, Henry of Cornhill, and Otho fitz William take Kent, Surrey, Sussex, Hants, Wilts, Somerset, Dorset, Devon, and Cornwall.

Forest Iters were also held by Geoffrey fitz Peter, Ernest Neville, and others.

With respect to the Sees in hand, we lose Rochester, filled by the appointment of Gilbert Glanville. Nothing is returned from the united bishoprics of Lichfield, Chester, and Coventry though still vacant;<sup>1</sup> while abbots appear to have been appointed to Selby, Bardney, and Middleton. The returns for the half-year from Canterbury are delusive. Not only is nothing paid into the Exchequer, but of the £545 os. 9d. accounted for £472 are handed over to Baldwin the new Archbishop.

The total is considerable, but not equal to that of last year. In all cases the full returns appear to be given, not merely 'farms'.

<sup>1</sup> See Stubbs's *Registrum Sacrum*.



	Paid into the Exchequer.			Total accounted for.		
	£	s.	d.	£	s.	d.
Worcester (three-quarter year)	271	11	7	288	19	1
Lincoln (same) . . . . .	423	7	7	531	0	1
St. Mary's, York . . . . .	66	2	6	394	15	7
York (Roll defective) . . . . .	1,005	1	4	1,058	1	4
Abingdon . . . . .	45	2	5	181	19	5
Exeter . . . . .		6	6	235	15	9
Salisbury . . . . .	330	16	0	399	14	1
Canterbury (half-year) . . . . .		—		545	0	9
Tavistock (same) . . . . .	9	3	2	32	19	3
	<hr/> 2,151 11 1 <hr/>			<hr/> 3,668 5 4 <hr/>		

Last year we were confronted by the most cruel of Henry's Ordinances, the new Forest Code. This year we have, as if by way of a set-off, the most welcome of his measures, namely, the great boon of the Grand Assize, a further step in the direction of trial by jury. By the Assize of Novel Disseisin, a man dispossessed of his freehold without warrant had the right of having a jury summoned by Royal writ to decide the question of his rights, or rather of his seisin. The Assize of Clarendon about the same time introduced the Presentment of offenders by local juries; the Council of Northampton in 1176, by the Assize of *Mort d'Ancestor*, extended the benefit of the right of reference to the finding of a jury to questions of disputed succession to freehold property. By the Grand Assize (*Magna Assisa*) a man whose possession was impugned had the right of reference to the testimony "of twelve lawful knights of the district in which the disputed tenement lies, who have been chosen in the presence of the Justices by four knights, who have been chosen by the sheriff".<sup>1</sup> Under this procedure the party attacked could protect himself from the terrible possibility of having to defend his rights by fighting a duel. Our Roll has the first references to this beneficial Ordinance. Four several men come forward to claim the benefit of the *Magna Assisa*, or, as one man puts it, "*ut possit se defendere lege libera*".<sup>2</sup> The date of the issue of the Ordinance is uncertain; we may take it that it had not been long issued when our Roll was compiled.

<sup>1</sup> Pollock and Maitland, II. 621.

<sup>2</sup> Pipe Roll, 15, 18, 173, 192.

The fines and amercements are as instructive as ever. Ydonea, the widow of Andrew Bukerell, a leading London merchant, had to fine 500 marks (£333 6s. 8d.) to be allowed to succeed to her husband's effects.<sup>1</sup> William fitz Isabelle, a man who had been Sheriff of London, is amerced £100 for having allowed a prisoner to go on insufficient bail.<sup>2</sup> William of Stuteville is amerced £100 for having allowed a fine "*pro licentia concordandi*", which involved the conversion of a piece of royal demesne into burgage land.<sup>3</sup> This must have happened in 1170 when he was Sheriff of Northumberland. The whole county of Norfolk is amerced for having adjourned a suit on account of the non-appearance of parties without the leave of the Justices (*Quia statuerunt diem assoniatoribus . . . sine licentia justiciarum*). But again a man is penalized "*quia injuste instruxit juratores*"; and "*quia injuste vexavit juratores*".<sup>4</sup> The Jews, though increasing in numbers and wealth, were evidently still regarded as foreigners, destitute of civic status. Benedict of Norwich has to pay £40 14s. 4d. for having presumed to interfere in the settlement of a dispute ("*quia interfuit concordiae de pace*").<sup>5</sup> Most cruel is the case of the man who has forfeited his land for having made his daughter his heir, without the King's leave, as if female succession, failing male heirs, was unknown to the law!

We may notice that Hugh Bigod is again in trouble, and his estates in hand; and that the Earl of Warwick has been deprived of his "third penny". The estates of Hugh de Lacy, who had been assassinated in Ireland, are also in hand.

Under the expenditure of the year we have pay for 20 light horse with hauberks (*cum habergellis*) at 6d. a day, and 180 foot-soldiers at 2d. a day, with the King at Carlisle; also pay for Welshmen going with him into Galloway. Gilbert son of Fergus, Lord of Galloway, of whom we heard in the 25th year, died in 1185, leaving a son Duncan, who was under ward to Henry. Gilbert's nephew, Roland son of Uchtred, seized the opportunity for invading and reducing Galloway, where the people, doubtless, were chafing at the English homage. Henry declared war against Roland and marched as far as Carlisle;

<sup>1</sup> Pipe Roll, 52.

<sup>2</sup> Id. 52, 67, 133.

<sup>3</sup> Id. 66

<sup>4</sup> Id. 29, 65, 150.

<sup>5</sup> Id. 60, cf. 190.

remaining there till the rebel was induced to come in and make his peace, the Scottish King and his brother David pledging themselves for his good conduct.<sup>1</sup>

Trivial as this disturbance had been, the King found in it a sufficient excuse for calling for a sweeping scutage in the following year.

We hear of John as being with his father at Carlisle, and squandering £20 there, besides £8 13s. 4d. borrowed from a Jew. In both cases the money had to be found by the sheriff.<sup>2</sup> John's presence at Carlisle may be taken in connexion with the orders we find for men and shipping at Chester to go with him on another expedition to Ireland. Henry had commissioned him to go over to take possession of the De Lacy estates, but on thinking the matter over, recalled the order.

Repairs and building still go on, but mostly at a moderate rate. Witham gets £30 for some further accommodation, and Godstow and Amesbury receive £80 and £244 7s. respectively.<sup>3</sup> Amesbury also had an endowment of £37 in Hampshire, among the *Terrae Datae*. Some £64 further were spent at Nottingham, but Dover again runs ahead of everything. £962 are expended there, £400 of the amount being drawn from the Treasury; the Keep (*turris*) and a curtain wall (*cingulum*) are included in the works.<sup>4</sup>

As a novelty we hear of envoys from Sweden (*Swadede*, *Swadede*); of robes for them; and of a shirt of mail (*lorica*), iron greaves, and a helmet sent by Henry to their King.<sup>5</sup>

We have had instances of the respective allowances thought suitable for Queens, earls, and countesses, ranging from £1 to 3s. a day; Oliver de Tracy of Barnstaple, a Devonshire Baron, whose lands were in hand, has 8d. a day, just knight's pay earlier in the reign, and still pay for knights on garrison duty.

An announcement that must have caused the gravest anxiety in many a grange and castle was that of the death of the great money-lender Aaron of Lincoln, accompanied as it was by the

<sup>1</sup> Round, Introduction to Pipe Roll; Benedict, I. 348.

<sup>2</sup> Pipe Roll, 97, 118.

<sup>3</sup> Id. 156, 168, 217.

<sup>4</sup> Id. 187, 193, and Round, Introduction.

<sup>5</sup> Pipe Roll, 49, 199. The Swedish throne appears to have been vacant or in dispute. See Koch, *Tableau des Révolutions de l'Europe*, and the Tables in vol. IV.

formal intimation that the King had declared himself Aaron's heir.<sup>1</sup> Aaron, as we shall find, had heavy mortgages in every county of England, which the King would endeavour to call in. That was the worst of dealing with the Israelites, that behind the Jew stood the King.

Our revenue stands as follows :

	£	s.	d.
Paid in or accounted for . . . .	21,772	15	10
Combustions, say . . . .	120	0	0
	<hr/>		
	21,892	15	10
	<hr/>		

### 33 HENRY II

1186-1187. The finance of the year was determined, as already mentioned, by the petty disturbance of the previous year in Galloway, which gave legitimate ground for calling out forces, or taking scutage from those not called out for service in person ; that is to say, from those who in the words of the Roll "*non abierunt cum Rege in exercitu Galweie*". A few men had been called out from the Honour of Chester.<sup>2</sup> But that was exceptional, and, as we have seen, the slender host raised was essentially non-feudal, the King preferring to take his barons' money rather than their services. A scutage, accordingly, the last of the reign, was called for, at the rate of £1 the knight's fee. The yield, with the usual remissions, came to £2,203 11s. 4d. This in itself was a fair addition to the ordinary revenue, while the military need had been trivial. But, as usual, Henry made the most of his opportunity ; and the scutage was accompanied by a call on men who were not liable for military service at all. These were the dwellers of the towns and the Royal demesnes. But it must be pointed out that the demesnes were held to include all estates that happened, from whatever cause, to be in hand, including the possessions of the vacant Sees. In this connexion we may notice that with regard to these Honours the King succeeded in extorting scutage on the footing of the alleged New Feoffments of 1166, which, as we have seen, had been

<sup>1</sup> Pipe Roll, 150, 195.

<sup>2</sup> Id. 28 ; Round.

entirely rejected by the clergy, and, to a great extent, by the laity.<sup>1</sup> By the assessing Justices or Commissioners the levy, as a whole, is plainly spoken of as "*Tallagium*". But the individual contributions, whether from townships or individuals, are politely entered as "*Dona*".<sup>2</sup> The scutage we find amounting to £2,203 11s. 4d. and the tallage to £1,804 7s. 4d. But, with respect to the latter impost, it must be stated that, throughout, the sum actually exacted is only half the sum assessed, the other half standing over for the future. The total assessment would probably not fall much short of £4,000.

On the other hand, the counties were not much pressed with Judicial inquests.

Ernest Neville, William le Vavas seur, Roger of Hoveden, and Geoffrey Hay perambulate Lancaster, and hold a Forest Circuit through Northumberland.

Robert Marmion, William fitz Stephen, Ralph of Arden, Thomas Noel, and Hugh Pantolf visited Herefordshire, Gloucestershire, and Staffordshire, and assessed the tallage in Herefordshire.

Robert of Brock, Robert of Haseley, and William of Staunton held a Forest Iter through Salop, Herefordshire, and Gloucestershire.

Ernest Neville, William le Vavas seur, Roger of Batvant, Roger of Hoveden, and Geoffrey of Hay held a Judicial Iter through Cumberland, and Forest Iters through Yorkshire and Cumberland.

As commissioners for assessing tallages in Wilts and Cornwall we have Hugh Bardolf, Thomas of Osborne (Husseburn), and William Brewer; and for the like office in Kent the Archdeacon of Colchester, Roger fitz Renfrey, Michael Belet, and Robert of Whitfield.

The returns from the Judicial Circuits do not come to much. We find Norfolk amerced for an adjournment of Sessions without leave of the Judges; and we still have Bigod in trouble and his estates in hand.<sup>3</sup> Under the *Placita et Oblata Curie* we have

<sup>1</sup> See above, p. 97, and Round, Introduction to the Pipe Roll 33 H. II, xxv. Some of the fees held of the Honour of Berkhamstead and others were found by the Justices to be 'Little fees of Mortain', only liable to scutage at 12s. 6d.; so too with regard to some of the fees of Cornwall; Pipe Roll, 111, 127, 155.

<sup>2</sup> See e. g. Pipe Roll, 59.

<sup>3</sup> Pipe Roll, 56, 58.



again the whole collective Jewry of England entered as still liable in a sum of 5,525½ marks on account of the amercement inflicted on Jurnet of Norwich. With respect to this and some minor debts due by Israelites, the Judges graciously intimate that for the present they hold their hands, the King already having the fourth part of these men's goods in his possession.<sup>1</sup> Elias the Usher of the Upper Chamber, who serves the notices for the payment of scutage, also serves the notices for the payment of debts due to Aaron of Lincoln; while receivers are appointed for rents due to the same Aaron.<sup>2</sup> On the same page we have "*Placita Scaccarii*" clearly distinguished from "*Placita Curie*".<sup>3</sup>

From the Sees in hand we lose Worcester and Lincoln; the former filled by the appointment of William Northall, and the latter by the promotion of the future Saint, Hugh of Avallon, brought from the mountains of Dauphiné to train the King's little Cistercian House at Witham. Both William and Hugh were consecrated on the 21st September 1186. Exeter had been bestowed on John fitz Luke on the 5th October 1186; St. Mary's York and Abingdon had also been filled. But we gain the Abbeys of Cirencester, Glastonbury, St. Benet's Holme, and Malmesbury, together with the See of London, vacant since the death of Gilbert Foliot, 18th February 1187.

The Sees in hand then will stand as follows:

				Paid into the Exchequer.			Total accounted for.		
	£	s.	d.	£	s.	d.	£	s.	d.
Cirencester:									
' <i>In thro</i> '	85	11	11	268	4	11	399	1	3
' <i>In Camera</i> '	182	13	0						
Same, further acc.				166	17	10	173	17	7
Glastonbury				—			233	11	2
London				190	6	1	241	6	3
York				994	18	0	1,056	9	3
Same Synodals				172	15	5	277	6	6
Malmesbury				41	18	7	140	7	4
Salisbury with Prebend				190	3	9	233	1	10
St. Benet Holme				20	13	3	44	18	0
				2,045	17	10	2,799	19	2

<sup>1</sup> "*De predictis debitis Judeorum sustinemus ad presens quia dominus Rex capit, quartum de catallis suis*"; Pipe Roll, 44. The sums given are just one mark short of the 6,000 marks.

<sup>2</sup> Id. 39, 40, 122.

<sup>3</sup> Id. 158.

In the way of expenditure we still find money being spent on castles, though at a reduced rate. At Carlisle we have £41 14s. 7d. allowed for a chamber for the King, and a small tower "*in castro*", besides the Keep (*magna turris*).<sup>1</sup> Bowes Castle in the West Riding is again heard of as receiving £23 for repairs; while £33 6s. 8d. (50 marks) are expended on the King's house at Oxford (Beaumont);<sup>2</sup> with £57 6s. 6d. on Dorchester Castle. But Dover as usual throws everything else into the shade; the sum expended there amounts to £681 10s., £255 17s. of the amount being drawn from the Treasury.<sup>3</sup> At Arundel the King had a garden of herbs (*herbarium*) laid out in front of his chamber.<sup>4</sup> The "*turris de Latalio*", or Llantilio, on which £2 6s. 8d. are expended,<sup>5</sup> is better known as White Castle, one of the three noted Monmouthshire strongholds. Skenfrith receives £44 17s. 7d.;<sup>6</sup> but Grossmont, the third of "the trilateral", is not mentioned.

Of church architecture we have an interesting notice in the payment of £7 2s. 7d. for the vaulting of the King's chapel of St. John the Evangelist, at Westminster. The money was to be expended under the direction of "*Alnod ingeniator*",<sup>7</sup> a man who had appeared for years as in the receipt of a standing salary of £10 a year and upwards, apparently as clerk of the works at Westminster. The present is the earliest notice of the chapel, and may refer to its original construction. Frequent references to it will be found under John. It seems hard not to find in the beautiful Norman doorway in the style of the period, forming the entrance to one of the Canon's houses in the inner cloisters at Westminster, a relic of Henry's chapel.

Late in November, apparently, Henry went to Amesbury to install the abbess and nuns from Fontevrault; £5 are entered as paid for two casks of red wine and as much white wine for their use, and £66 13s. 4d. are allowed for their building fund.<sup>8</sup>

On the 27th February Henry crossed from Dover to Wissant, to remain abroad till January 1188: John went with him. Again we have light-armed troops from Wales and the March

<sup>1</sup> Pipe Roll, 94.

<sup>2</sup> Id. 45, 82.

<sup>3</sup> Id. 211.

<sup>4</sup> Id. 107, 109.

<sup>5</sup> Id. 130.

<sup>6</sup> Id. 131. For the "Trilateral" see Round's Introduction, xli.

<sup>7</sup> "*Pro arcu lapideo et sede Regis*"; Pipe Roll, 39.

<sup>8</sup> Id. 187, 203.

sent abroad for operations against Philip II of France. From Shropshire we have 250 foot-soldiers and 35 light horse; the former at 2*d.* a day, the horsemen at 6*d.*, and their "Masters" or officers at 10*d.* a day. From Herefordshire we have as many footmen and four mounted men. Welshmen are also specially named as taken into pay.<sup>1</sup>

Eleanor did not accompany the King. She remained at home. We have £40 7*s.* 11*d.* paid to her by the King's writ sealed at Southampton. But the time for which this money was to serve is not given. Later we have £24 12*s.* 2*d.* paid to her by Glanville as allowance from the 22nd April to the 29th May, say 38 days. This works out at something like 13*s.* a day. The King's £40 7*s.* 11*d.*, if taken as allowance from the 27th February to the 22nd April, would represent something like 15*s.* a day. But we also have a further sum of £84 paid to Jordan, the Queen's clerk, 'for her expenses', given as a standing charge on the issues of London; and yet again £26 *os.* 8*d.* for clothing for herself and her ladies.<sup>2</sup> But the expenditure on "furs, robes, silk and jewels for the King personally (and his knights?) was quite considerable, and, with some copes and chasubles for his chapel, amounted in all this year to over £298",<sup>3</sup> as against £149 *os.* 1*d.* in all allowed to Eleanor. Allowances to two other ladies of exalted rank may be noticed. One is described as 'the daughter of the King of France', the other as 'the daughter of the late Earl of Gloucester'. Sums amounting to £35 16*s.* 2*d.* are allowed for their clothing and maintenance.<sup>4</sup> The latter damsel was Isabel, the youngest of the Earl's three daughters, "the destined heiress of her father and the bride of John". The former, presumably, was Alais, betrothed to Richard, who, however, persistently refused to make her his wife.

The Combustions we will take as before.

Our total then stands at the following handsome figure :

	£	s.	d.
Paid in or accounted for . . . . .	34,192	14	11
Combustions . . . . .	120	0	0
	<hr/>		
	34,312	14	11
	<hr/>		

<sup>1</sup> Pipe Roll, 38, 45, 63, 131, &c.

<sup>2</sup> Id. 19, 30, 214; Round.

<sup>3</sup> Id. 39, 40.

<sup>4</sup> Id. 15 and 40 *bis*.

## 34 HENRY II

1187-1188. The all-engrossing events of the year were the final collapse of the Kingdom of Jerusalem, the fall of the Holy City, and the loss of the True Cross (3 October 1187). The disaster killed Urban III. His successor Gregory VIII spent his short pontificate in appeals for help to Holy Land. The first to respond was young Richard, who, without consulting his father, took the Cross from the hands of the Archbishop of Tours in November.<sup>1</sup> Henry, King Philip, and the Count of Flanders having met between Trie and Gisors to discuss grievances, were induced to follow suit, and to call on their subjects for a subsidy, to be levied in the shape of a tenth of all rents, and also of all movable or personal property, for one year, being the well-known Saladin Tithe, celebrated as a new departure in the matter of taxation. For Henry's Continental dominions the tax was settled in a Grand Council of magnates, ecclesiastical and lay, held shortly at Le Mans.<sup>2</sup> On the 30th January 1188 Henry landed at Winchelsea. On the 11th February he held a Grand Council at Geddington in Northamptonshire, when the tax was agreed to, on the same footing as arranged for the Continental dominions. All persons not prepared to take the Cross would be put under contribution; the whole of their rents and personal property would be assessed, except the horses, arms and clothing of the military or landed classes (*milites*); the horses, books, vestments and clothing of the clergy, with all church furniture; all precious stones, whether belonging to clerks or laymen, to be likewise exempt; the money to be collected by parishes (*parochiis*), in the presence of the priest, the archdeacon, a Templar and a Hospitaller, along with agents severally appointed by the King, the lord of the manor, and the bishop respectively. Persons taking the Cross would be excused contribution from their demesne lands, but would receive the tithe from their under-tenants for their outfit and support. In case of dispute as to liability, reference to be made to a jury of four or six lawful men.<sup>3</sup> For us the importance of the measure

<sup>1</sup> See Angevin Empire, 235.

<sup>2</sup> *Ib.*

<sup>3</sup> "*Clerici autem, et milites, qui crucem acceperint nihil de decima ista dabunt,*



lies primarily in the fact that it became the precedent on which all subsequent assessments were framed, and notably in the matter of the employment of local jurors.<sup>1</sup> The chroniclers also give us a Papal Ordinance demanding a Tenth, in terms so similar as to warrant the suggestion that the idea of the tax emanated from the financial genius of Italy. Henry remained in England for five months, chiefly occupied with the raising of the tithe. He endeavoured to obtain contributions from Scotland and Wales, but without success. To Archbishop Baldwin's tour through Wales, preaching the Crusade, we owe Gerald of Barry's *Itinerarium Cambriae*. On the next Roll (1 Ric. I) we shall find entries to the effect that sums amounting to 7,700 marks (£5,133 6s. 8d.) ("*De denariis decimarum*") were carried from the treasury at Salisbury to Bristol and Southampton, under the charge of the regular officers of the Exchequer, namely the Treasurer's Clerk, the Deputy Chamberlains and the Tellers.<sup>2</sup> How much was raised, of course, we cannot tell, but we know that only six-and-twenty years later a Fifteenth from clergy and laity was estimated at £57,838 13s.<sup>3</sup> If anything like that sum was collected for the Saladin Tithe, it must have come as a revelation to Henry of the financial capabilities of the country. But he did not live to profit by the information gained.

For the circuits of the year :

Robert Marmion, Ralf of Arden, William fitz Stephen, Hugh Pantolf, and Thomas Noel visited Herefordshire, Staffordshire, and Gloucestershire.

Ralf Archdeacon of Colchester, Roger fitz Renfrid, Michael Belet, Robert of Whitfield, with further help in some counties, went round Kent, Sussex, Essex, Herts, Bucks, Beds, Cambridgeshire, Hunts, Norfolk, Suffolk, Oxon, and Northants.

Geoffrey of Lacy, Joscelin Archdeacon of Chichester, and William

*sed (i.e. scilicet) de proprio suo et dominico, et quicquid homines eorum debuerint ad opus illorum colligetur per supra dietas et eis totum reddetur.*" See the ordinance Benedict, II. 31, the fullest, Hoveden, II. 336; less exactly, W. Newburgh, I. 274.

<sup>1</sup> See Bishop Stubbs, *Select Charters*, 152, and *Angevin Empire*, sup.

<sup>2</sup> See the Roll as printed by Hunter, 1 Rich.

<sup>3</sup> Red Book Excheq. III. 1064.



le Vavas seur judged Notts, Derby, Lincoln, Lancaster, and Cumberland.

Hugh Bardolf, William Brewer, and Thomas of Osborne perambulated Hants and Wilts.

It will be noticed how irregular and indeterminate the circuits still were.

Last year only half of the assessment for tallage was exacted. This year the Justices are content to ask for one-third of the remaining half, but with little success, as nobody paid. "*Debet*", "*Debet*" is the ever-recurring entry. On the other hand, some substantial arrears of the corresponding scutage are paid up.

In the matter of Sees in hand we lose Salisbury, through the promotion of the able Treasury official Hubert Walter, though his consecration only came a year later.<sup>1</sup> The returns from Cirencester, Glastonbury, Malmesbury, and St. Benet's Holm also disappear, but we get Carlisle, with returns from Selby, St. Mary's Leicester, and Fécamp.

Sees in hand:

	<i>Paid into the Exchequer.</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
St. Mary's, York . . . . .	10	6	8	175	7	10
Selby . . . . .	102	0	0	388	18	9
Fécamp, English estates . . . . .	220	9	4	233	10	0
Carlisle . . . . .	2	10	0	52	19	6
York . . . . .	919	11	7	978	2	5
Same, Synodals and prebends . . . . .	—			202	15	7
London . . . . .	290	15	6	388	8	5
	<hr/>			<hr/>		
	1,545	13	1	2,420	2	6
	<hr/>			<hr/>		

The lands of the late Earl Hugh Bigod (d. 1177) are still in hand, to the tune of £120 18s.

In the way of expenditure it is interesting to hear of repairs to the King's bridge and quay at Westminster (£4 12s.). We had heard of the quay before, but not of the bridge. The works at Dover can still require £185 9s. 4d.; but the city of Worcester has only palisades for all its protection.

<sup>1</sup> 22nd October 1189; *Reg. Sac.*

The river Isis, the parent of the Thames, appears under the name of "Ichte", as we hear of men at Oxford living between the "Yihte" and the "Charewell".

On the 10th July (1188) Henry bade his last farewell to England, sailing from Portsea, and landing next day at Barfleur. He went doomed "to sink under the heartless intrigues of ungrateful young men banded together against him". Again we hear of his taking out a contingent of Welsh troops, but a very inadequate one, namely 630 foot and 136 light horse. The foot-soldiers drew  $1\frac{1}{2}d.$  a day, and their "Masters" or Constables  $2d.$  a day.<sup>1</sup>

Total revenue :

	£	s.	d.
Paid in or accounted for . . . .	22,216	14	$7\frac{1}{2}$
Combustions, say . . . .	120	0	0
	<hr/>		
	22,336	14	$7\frac{1}{2}$
	<hr/>		

## 35 HENRY II—I RICHARD I<sup>2</sup>

### Part I

1188-1189. The finance of this year falls between two reigns. Henry II passed away at Chinon on the 5th July 1189; and on the 20th of the month Richard was installed as Duke of Normandy, girt with the Ducal Sword, and presented with the Banner of the Duchy.<sup>3</sup> The bulk of the entries on the Roll belong to the time of Henry, and the arrangements of the administration must have been his doing. The Roll, No. 35 in the official catalogue, is headed "I Ric. I"; but the items belonging to the several reigns may very fairly be distinguished and taken separately.

To finish with Henry's reign, for Sees in hand we still have

<sup>1</sup> Pipe Roll, pipe 8.

<sup>2</sup> Pipe Roll, No. 35. The summation is taken from the figures on the manuscript; the notes are taken partly from the manuscript, partly from the print given by Mr. Hunter under the erroneous date of 1189-1190.

<sup>3</sup> Angevin Empire, 263.

Selby, Fécamp, Carlisle, York, London, arrears from Salisbury, and St. Mary's Leicester.

	<i>Paid into the Exchequer.</i>			<i>Total accounted for.</i>		
	£	s.	d.	£	s.	d.
Selby . . . . .	103	0	0	388	18	0
Carlisle, with Synodals . . . . .	2	10	0	33	10	6
York . . . . .	1,112	7	8	1,157	12	10
London . . . . .	308	0	5	388	8	6
Salisbury . . . . .	242	1	10	480	0	8
St. Mary's, Leicester . . . . .	10	6	8	165	7	10
	<hr/>			<hr/>		
	1,778	6	7	2,613	18	4

In the matter of circuits we have the following four Iters :

Ralf Archdeacon of Colchester, Roger fitz Renfrid, Michael Benet, and Robert of Whitfield, or some of them, traverse Kent, Middlesex, Sussex, Essex, Herts, Bucks, Beds, Oxon, Cambridgeshire, Hunts, Warwick, Leicester, Norfolk, and Northants.

Robert Marmion, William fitz Stephen, Ralph of Arden, Hugh Pantolf, and Thomas Noel take Gloucestershire, Staffordshire, Salop, and Herefordshire.

In like manner Joscelin Archdeacon of Chichester, Geoffrey of Lacy, and William le Vavasour judge Notts, Derby, Lincolnshire, Yorkshire, Lancaster, Northumberland, and Durham.

Lastly, Hugh Bardolf, William Brewer, Thomas of Osborne, and others traverse Berks, Hants, Wilts, Dorset, Somerset, and Devon.

Four circuits in all, which might be described as a Home Circuit, a Midland Circuit, a Northern Circuit, and a Western Circuit. The Iter was not a fruitful one, but we hear of an increment of £10 laid on Bucks. Wymar the Chaplain, ex-Sheriff of Norfolk and Suffolk, is amerced £75 (£21 paid) for a wrongful decision ; and offers (*debet*) 200 marks (£133 6s. 8d.) to be quit of the shrievalty and all questions connected therewith.<sup>1</sup> Again we have a case of Breach of Promise of Marriage ; William of Beaumont is found to have married the daughter of Maurice Barsam, having promised to marry the daughter of Ralph of

<sup>1</sup> Pipe Roll, p. 5.

Gidding. But he is only required to pay £1 6s. 8d.; but the sum of course goes to the King.<sup>1</sup> Ralph and Richard, respectively Archdeacon and Provost of Beverley, at last pay in, the one £51 13s. 4d., and the other £40 on account of *Dona* offered many years before for the King's protection. A horrible entry is that of a penalty of £33 6s. 8d. inflicted on a man for torturing a woman without leave.<sup>2</sup>

Some arrears of the scutage of Galloway are paid in; but nothing on account of the corresponding tallage. The estates of Earl Hugh of Norfolk are still in hand.

Turning to the expenditure, we have the very inadequate force of 77 mounted Welshmen and 804 foot sent out to the King under Meredith son of Cradoc and others. Hoel ap Rhys, the chief in command, gets a bonus of £5; we also hear of a further contingent of 437 foot and 15 horse.<sup>3</sup> Lead for the Abbey of Clairvaux is carted from the Peak to the Humber, and from thence is shipped to Rouen, under escort. We have already referred to the payments for the transport of treasure—£2,500 and 5,000 marks—from Salisbury to Southampton, evidently contribution to the Saladin Tithe.<sup>4</sup> At Dover we find the works still being piled up to the amount of £185 9s. 4d.<sup>5</sup> But Carlisle, the frontier stronghold, can only boast of a wooden Keep, and that forsooth is in need of 'replanking' (*planchianda est*).<sup>6</sup> Young William of Saxony is still being entertained in England; and £11 4s. 4d. are allowed for his household, from Easter to Michaelmas, with £3 13s. 4d. for his clothing.<sup>7</sup> Five hundred yards of Oxford linen cloth are bought for the King's use.<sup>8</sup>

The amount of the revenue will be given at the close of the financial year under Richard.

To sacrifice a legal tax like Danegeld for arbitrary assessments would not be thought the act of a financier. But Henry was master of the situation, and knew what he was about. He was a thrifty man.<sup>9</sup> Castles and country seats alone seemed to appeal to his pocket. But at times he had need for money, and he was quite unscrupulous as to the mode of raising it. Confident of being able to get all that he needed, he did not call

<sup>1</sup> Pipe Roll 12. Cf. above, 164.

<sup>4</sup> Id. 13 d; Hunter, 178.

<sup>7</sup> Id. 12.

<sup>2</sup> Id., p. 8.

<sup>5</sup> Id. 15 d.

<sup>8</sup> Id. 11.

<sup>3</sup> Membranes 8 and 15.

<sup>6</sup> Id. 13 d.

<sup>9</sup> See Gerald of Barry (*Giraldus*).

for more than seemed necessary ; and he was always ready to grant remissions, or give time for payment. Henry II seemed to put his trust in extortionate dealings with individuals, and preferentially with rich men. Yet by his tallages he might be said to have made a beginning of the taxation of personalty. We would again call attention to his system of calling for tallages on the towns to balance the scutages on the landed gentry.<sup>1</sup> Considered in the light of the sums raised in the following century, his revenue must be considered moderate. For ten years it did not reach the modest sum of £20,000 ; once only did it reach the sum of £30,000 ; and for the bulk of the reign the average could not be put above £25,000.<sup>2</sup>

But again it must be stated that the Pipe Rolls do not give the whole of the King's income. From the beginning we heard of the "*Exitus Thesauri*" as a fund to which went the Combustions not paid into the Exchequer. Another fund was the *Camera* or Privy Purse, which had private sources of income affected to it, besides receiving drafts from the Exchequer.<sup>3</sup> Sources of revenue there were that might better be kept secret. Henry might not wish to proclaim the fact that he considered himself the heir to any personal property that a subject might leave, however notorious the fact might be. Early in the reign we had good grounds for holding that the treasures of William Cade had been appropriated by the King's Remembrancer. But not a penny of the money ever appeared on the Rolls as admitted cases of private payment to, or seizure by, the King. We may take those of the *catella* of Aaron of York and of other Jews confessed by the King to be in his hands.<sup>4</sup> But by far the biggest bonus ignored by the Rolls would be the profits of the re-coining of the 26th and 27th years (1180, 1181). We have seen that the King might easily have made £6,000 or even twice that sum. Apart from this windfall an addition of £1,000 or £2,000

<sup>1</sup> See Table IV.

<sup>2</sup> See Table I.

<sup>3</sup> See the annuities 'attorned' from the *Camera* to county farms (above, pp. 52, 65, 111). So again 1 Ric. I, 56 (Hunter).

<sup>4</sup> Henry was open to composition in these matters. The sons of one Benjamin a Jew offer 2 marks of gold (£12) to have a 'fair share' (*de rationali parte*) of their father's goods ; 1 Ric. I, 109 (Hunter). Again a widow 'owes' (i.e. offers) 5 marks to have payment of certain bond debts due to her husband enforced.



a year to the revenues on the Rolls might seem sufficient to make a full revenue.

We have said that Henry was not scrupulous in his dealings. But it must be recorded that except for the expedition to Anjou in his second year, and the campaign of Toulouse, he never attempted to exact service abroad from his English feudatories ; much less did he demand payment to relieve them of a duty that they did not owe—in contrast to the monstrous fines *ne transfreient* that we shall find his sons Richard and John inflicting. Henry left a Will, published in 1182, as already mentioned. It simply deals with charitable legacies amounting in all to 40,500 marks or £27,000, more than an average total of a year's revenue. The Templars, Hospitallers, and Kingdom of Jerusalem get nearly half the money, besides money already placed in their hands.<sup>1</sup>

We have gone through the reign, year by year, very fully, but a brief review of the several branches of the revenue may not be unacceptable. These we would classify under five heads.

I. *Landed returns, a miscellaneous group,*

including in the first place (*a*) the yield of the County and Borough farm rents and big Honours in hand. Our Table II gives their returns as found one year with another through the central part of the Second Henry's reign, and the amount appears of £13,122 15s. 9d. But from this gross total must be deducted the returns from the lands alienated by the King, the *Terrae Datae*. These in the first months of the reign we found at £2,450, doubtless more or less a legacy bequeathed by Stephen. In the 9th year they had risen to £3,548 ; in the 16th year Professor Parow found them at £3,914 ; in the 21st year we found them at £4,346, while in the 33rd year they had sunk to £3,372. So far the County and Borough farms would only bring from £9,000 to £10,000 net. But as the receipts were liable to reduction by fresh alienations of Crown land, so again they might be swelled by the falling in of big Honours and the imposition of increments on the farms.

Equally fluctuating would be (*b*) the minor returns from forfeitures, wastes, purprestures, sales of timber (*census nemorum*) and

<sup>1</sup> Diceto, II. 100 ; Gervase, I. 298 ; Angevin Empire, 259.

the like. Below, the reader will find on Tables V and VI analyses of the 18th and the 33rd years, offered with all reserve, showing the actual returns under the several heads. We have chosen these years, the one as offering a good average specimen of the central part of the reign, the other as a good average specimen of the close of the reign. In the former case the returns of our first head paid in or accounted for come to £12,730 1s. 8d., out of a total revenue of £21,145 19s. 3d.;<sup>1</sup> being a good deal more than half of the whole. In the later years of the reign considerable Honours came into hand, and so our landed returns of the 33rd year rise to £15,120 16s. 1d.<sup>2</sup>

As a last word about the *Terrae Datae*, we shall find that their amount greatly exceeded the total of the illegal tallages imposed by Henry. If he had refrained from giving so freely he might have saved his memory from the opprobrium of extortion. But his ways were always capricious.

## II. *Scutage and Aid.*

As legal taxes, if not for their fiscal importance, these deserve a special notice. The reader will see by our Table IV that scutage was called for eight times in the reign, and at rates varying from half a mark (6s. 8d.) to two marks (£1 6s. 8d.) the knight's fee. Taken all together the average comes to about £1,367, the biggest sum raised in one year being £3,267 12s. 7d.

Only one legal Aid, namely that for the marriage of Matilda in the 14th year, was called for. Our Table IV shows that it was levied at the rate of a mark (13s. 4d.) on the knight's fee, and that the amount raised in the first year was £2,408. The further amount collected in the next year might come to £200, raising the total to £2,608, representing some 3,037 knight's fees. With regard to this moot point, we must repeat that with all respect to the lists of 5,000 and 6,000 and 7,000 fees compiled from various sources,<sup>3</sup> we cannot believe that between compositions and remissions to all the greater barons, the Government could, for the practical purposes of taxation, reckon on much more than 3,000 knight's fees.

<sup>1</sup> See Table I, i. e. without Combustions.

<sup>2</sup> See Table VI.

<sup>3</sup> See Norman, Domesday, and Feudal Statistics, 56.

III. *Danegeld*.

This tax, twice levied, namely in the 2nd and 8th years, gave in the latter year (1162-1163) £3,132 9s. 1d.; being £634 more than the yield of the tax in the 31st year of Henry I. The details of the sums remitted and left owing on our Table III show that the tax in the King's books would stand at £4,818 2s. 11d., say £5,000. The yield in the 2nd year might fairly be put at £3,000.

IV. *Sees in hand*.

In his 7th year (1160-1161) Henry first laid his hands on the revenues of the Church. We have given year by year both the gross returns accounted for, and the net payments into the Exchequer (*In thro*). The differences represent standing charges, *Eleemosynae* and *Liberationes* like those of the county accounts, up-keep of the lands, extra allowances to canons and monks, and, sometimes, *Terrae Datae*. In some years the difference would amount from £500 to £1,000.

Passing over the gross totals, and contenting ourselves with a review of the net returns, we have for the 7th and 8th years—Becket being Chancellor—moderate sums of £400 odd, followed by two blank years, Becket having been raised to the Primacy. At his flight in October 1164 hands were freely laid on the revenues of vacant Sees and abbeys, sometimes farmed out, but more commonly entrusted to *custodes*, to account for the full returns. For eight years, from 1165 to 1172, both included, a golden stream of from £1,000 to £4,000 in round numbers, with an annual average of £2,600, flowed into the fisc. In 1173, under the stress of a baronial rising fomented by his wife and sons, Henry, finding it expedient to come to better terms with the Church, spared its revenues; on the 12th July 1164 he did penance for his share of responsibility in the assassination of the Archbishop. But the filling of vacant bishoprics was one of the conditions of the absolution imposed by the Pope, and for nine years the Exchequer had to be content with petty sums from abbeys. But by Michaelmas 1182, either the penitent fit or the need for Church support having passed away, the revenues of vacant Sees were again swept into the Exchequer,

and so on to the close of the reign, with an average yearly profit of about £2,250.

In our analyses of the 18th and 33rd years we give the gross returns from the Sees, as the gross returns figure in the revenue.

#### V. *Placita Oblata et Conventiones.*

These terms may safely be rendered 'Amercements, Tallages, *Dona*, and Fines'. In our analyses of the 18th and 33rd years we give the returns from each separately.

Amercements will include all the profits to be derived from the administration of justice. As for the *Dona*, on the very Rolls themselves they are entered as tallages. The exclusion of the returns from 'Reliefs', 'Wardships', and 'Marriages' among 'Fines', we consider justified by the arbitrary character of the King's dealings in such matters. Under all three heads ample illustrations in detail have already been given. Tallages, great or small, were imposed most years of the reign. The totals of the chief ones are given. Our Table IV shows the yield of seven levies called to balance legal imposts. Sums running from £8,267 2s. 2d. to £338 14s. 7d. seem to preclude averaging to any purpose. But we have four years which run in round numbers from £1,500 to £2,000. In the 18th year no tallages were levied. In the 33rd year they yielded £1,804. Further, Table VII gives the assessment for tallage laid on twenty-three of the chief towns in the country in the 34th year, with the amounts actually exacted. The reader will notice the indulgence with which the larger towns were treated as compared with the smaller towns; just as the barons were favoured at the expense of the commoners.

For the returns from fines we can only give those of the two years analysed, namely the 18th and the 33rd; in the former year the total appears as £664 19s. 4d. and in the latter year as £1,219 19s. 4d.

For the yield of the amercements likewise we give the totals of the same two years. In the 18th year they come out as £1,528 14s. 4d., and in the 33rd year as £1,434 8s. 5d. In connexion with these penalties, and the Judicial Iters in which the most of them were inflicted, we may point out that there was,



as yet, no fixed number of circuits ; their number varied every year ; we have had every number from one to seven.

Of social gradations in high society the 'corredies' allotted to distinguished visitors and State prisoners give interesting notes. As we have seen, the King of France, Louis VII (*Le Jeune*), for his four days' pilgrimage to Canterbury received £28 2s. 5d., or £7 odd a day.<sup>1</sup> The King of Scots, William the Lion, for his journey to England to render homage, and home again, has £16, or 15s. 4d. a day, besides the old £10 in Tynedale. The young Queen in 1176 had £6 1s. 4d. for a visit of three days to Canterbury ; at other times we find her drawing £1 a day and £1 10s. a day, besides liberal allowances for clothing and furs.<sup>2</sup> Five shillings is the standing daily allowance for a foreign bishop ; the rebellious Earl of Leicester has 4s. 4½d. a day ; his Countess, a great heiress, has 3s. for herself, her daughter, and her maid. Robert of Umfraville has £5 a year, say 3½d. a day.

The Queen before her disgrace seemed to have £200 a year for her Privy Purse, with another £100 for herself and the King's sons.<sup>3</sup> A penny a day for the oil of her lamp was a standing charge on the revenues of London, and she had £1 1s. 1d. from the wool of a Berkshire manor. After her fall we have numerous payments to her ; but the periods for which the money was to serve are very seldom indicated. In the 21st year the total sums entered as paid her, apart from the perquisites, amount to £161,<sup>4</sup> not quite 9s. a day. In the 30th year we have £32 14s. for eighty-five days from the 1st of April to the 25th June, say 3s. 7d. a day.<sup>5</sup>

With the accession of her favourite son (Richard) riches and honours flowed in upon her.

Of the prices of agricultural products we get frequent notices, especially in connexion with the re-stocking of farms fallen into hand. Cows cost 3s. ; oxen and farm-horses (*affri*) 3s. to 5s. ; a pig, 1s. ; sheep 4d. to 6d. ; Norfolk sheep 8d. ; a riding horse we found to cost £1 ; a charger fetches £1 10s. and £2. These prices seem to have ruled pretty evenly throughout the reign. The prices of cereals, on the other hand, vary greatly. In the

<sup>1</sup> Pipe Roll 22 H. II, 116.

<sup>2</sup> Id. 21 H. II, 41, 203.

<sup>3</sup> Id. 11 H. II, 40, 78.

<sup>4</sup> Id. 21 H. II, 100, 106.

<sup>5</sup> Id. 30 H. II, 70.



8th year 600 quarters of wheat from Wilts, for the nuns at Evrault, with the transport of the same to Southampton, are charged £81. Allowing £1 for the carriage, the wheat comes out at 2s. 8d. the quarter.<sup>1</sup> In the 11th year for the expedition to Wales we have 849 quarters of wheat charged £35 7s. 6d. or 10½d. the quarter; while 250 quarters of oats cost £5 4s. 2d. or 5d. the quarter; and malt (*brasium*) 6¼d. the quarter.<sup>2</sup> In the 17th year among the supplies sent to the adventurers in Ireland we have 400 quarters (*summae*) of wheat charged £36 13s. 4d., or 1s. 10d. the quarter; beans 1s. the quarter; a weigh of cheese, 5s.; a flitch of bacon, 1s. 4d. But in Oxfordshire wheat only ruled at 1s. 3½d. the quarter.<sup>3</sup> In Yorkshire in the 18th year we hear of the "*escheppa*" (skep, A.S. *sceap*) as a measure of cereals; 300 skeps are priced £30, and 100 skeps of oats £3 6s. 8d.<sup>4</sup> It seems that the skep varied locally. It might contain twelve bushels of sixteen gallons each.<sup>5</sup> In the 31st year 16 quarters of wheat for seed-corn cost 45s. 4d. or 2s. 10d. the quarter; and 8 quarters of barley were priced at 17s. 4d. or 2s. 2d. the quarter.<sup>6</sup> In these figures no regular rise in prices seems traceable. The difficulties of transport would account for great irregularities in price, but the figures above given seem to imply an average of about 22½d. the quarter.

TABLE I. ANNUAL REVENUES

## Henry I

From Pipe Roll (Hunter, Record Commission, 1833)

Regnal year.	A. D.	Paid in or accounted for.		Combustions.			Total.		
		£	s. d.	£	s. d.		£	s. d.	
31	1130-1131	26,571	8 1	100	0 0		26,671	8 1	?

## Stephen

Estimate £2,000 ?

<sup>1</sup> Pipe Roll 8 H. II, 12.<sup>2</sup> Id. 11 H. II, 12.<sup>3</sup> Id. 17 H. II, 11, 131.<sup>4</sup> Id. 18 H. II, 55.<sup>5</sup> *Ex relatione* Dr. G. A. Blumer, of Providence, U.S.A.<sup>6</sup> Pipe Roll 31 H. II, 43.

TABLE I. ANNUAL REVENUES (*cont.*)

## Henry II

First year from Red Book of Exchequer. Years 2, 3, 4, and 35, Hunter  
(*ut supra*). 5-33, Pipe Roll Society. 34, Pipe Roll MS.

Regnal year.	A. D.	Paid in or accounted for.			Combustions.				Total.		
		£	s.	d.	say	£	s.	d.	£	s.	d.
I ( $\frac{1}{2}$ year)	Dec. 1154- Mich. 1155	1,688	11	9					1,748	11	9
2	1155-1156	12,548	0	0	"	173	0	0	12,721	0	0
3	1156-1157	7,938	16	5 $\frac{1}{2}$	"	173	0	1	8,111	16	5 $\frac{1}{2}$
4	1157-1158	11,457	13	8	"	200	0	0	11,657	13	8
5	1158-1159	18,078	3	6	"	180	0	0	18,258	3	6
6	1159-1160	10,078	15	4	"	188	0	0	10,266	15	4
7	1160-1161	13,339	2	3	"	150	0	0	13,489	2	3
8	1161-1162	14,794	19	6	"	145	0	0	14,939	19	6
9	1162-1163	9,808	17	4 $\frac{1}{2}$	"	101	11	5	9,910	8	9 $\frac{1}{2}$
10	1163-1164	10,245	16	8 $\frac{1}{2}$	"	177	17	4	10,423	14	0 $\frac{1}{2}$
11	1164-1165	21,523	6	2	"	200	0	0	21,723	6	2
12	1165-1166	17,088	0	0	"	195	0	0	17,283	0	0
13	1166-1167	18,289	0	2 $\frac{1}{2}$	"	194	15	11	18,483	16	1 $\frac{1}{2}$
14	1167-1168	21,065	19	11 $\frac{1}{2}$	"	169	17	1	21,235	17	0 $\frac{1}{2}$
15	1168-1169	20,662	12	8	"	195	0	0	20,857	12	8
16	1169-1170	18,697	8	6 $\frac{1}{2}$	"	195	0	0	18,892	8	6 $\frac{1}{2}$
17	1170-1171	18,597	12	0	"	150	0	0	18,747	12	0
18	1171-1172	21,145	19	3	"	150	0	0	21,295	19	3
19	1172-1173	15,795	14	4	"	128	11	10	15,924	6	2
20	1173-1174	12,514	1	4 $\frac{1}{2}$	"	99	3	3	12,613	4	7 $\frac{1}{2}$
21	1174-1175	17,177	7	2	"	134	14	0	17,312	1	2
22	1175-1176	22,632	0	8 $\frac{1}{2}$	"	143	5	3	22,775	5	11 $\frac{1}{2}$
23	1176-1177	30,339	8	1	"	139	1	10	30,478	9	11
24	1177-1178	19,728	14	6	"	142	17	1	19,871	11	7
25	1178-1179	17,837	19	1	"	107	3	10	17,945	2	11
26	1179-1180	14,786	3	8 $\frac{1}{2}$	"	90	16	11	14,877	0	7 $\frac{1}{2}$
27	1180-1181	17,273	0	8 $\frac{1}{2}$	"	103	13	10	17,376	14	6 $\frac{1}{2}$
28	1181-1182	20,853	11	2	"	108	0	0	20,961	11	2
29	1182-1183	22,199	16	1 $\frac{1}{2}$	"	116	9	3	22,316	5	4 $\frac{1}{2}$
30	1183-1184	20,992	1	11 $\frac{1}{2}$	"	100	0	0	21,092	1	11 $\frac{1}{2}$
31	1184-1185	25,878	18	5 $\frac{1}{2}$	"	120	0	0	25,998	18	5 $\frac{1}{2}$
32	1185-1186	21,772	15	10	"	120	0	0	21,892	15	10
33	1186-1187	34,192	14	11	"	120	0	0	34,312	14	11
34	1187-1188	22,216	14	7 $\frac{1}{2}$	"	120	0	0	22,336	14	7 $\frac{1}{2}$

## TABLE II. COUNTY FARMS

As rearranged by Henry II

See G. J. Turner, Transactions of Royal Hist. Soc., New Series,  
Vol. XII, p. 142.

	<i>Blanch.</i>			<i>Numero.</i>		
	£	s.	d.	£	s.	d.
Beds and Bucks . . . . .	369	17	4	108	0	0
from 14 Hen. II, increment . .	10	0	0	<i>nil</i>		
Berks . . . . .	541	8	4	"		
Cambridge and Hunts . . . . .	373	9	4	"		
Cornwall, latter part of Hen. II .	<i>nil</i>			233	4	1
Cumberland . . . . .	"			114	0	4
Derby and Notts . . . . .	359	5	11	40	0	0
Devon . . . . .	312	7	0	<i>nil</i>		
Dorset . . . . .	120	0	0	"		
Essex and Herts . . . . .	645	2	4	"		
Gloucester . . . . .	372	13	6	"		
Hampshire . . . . .	606	2	8	"		
Hereford . . . . .	164	16	4	"		
Hertford, <i>see</i> Essex.						
Hunts, <i>see</i> Cambridge.						
Kent . . . . .	412	7	6	165	13	4
Lancaster, from 11 Hen. II . .	—			200	0	0
Leicester and Warwick . . . . .	213	18	4	40	0	0
Lincoln . . . . .	836	1	8	114	0	0
London and Middlesex . . . . .	500	0	0	22	0	0
Middlesex, <i>see</i> London.						
Norfolk and Suffolk, from 26 Hen.						
II; before this, £750 blanch . .	790	2	0	100	0	0
Northampton . . . . .	230	7	3	<i>nil</i>		
Northumberland . . . . .	<i>nil</i>			240	8	4
Notts, <i>see</i> Derby.						
Oxford . . . . .	326	12	9	<i>nil</i>		
Rutland . . . . .	<i>nil</i>			10	0	0
Salop . . . . .	"			265	15	0
Somerset . . . . .	360	0	0	<i>nil</i>		
Stafford . . . . .	140	0	0	"		
Suffolk, <i>see</i> Norfolk.						
Surrey . . . . .	57	4	0	124	5	4
Sussex . . . . .	<i>nil</i>			40	0	0
Warwick, <i>see</i> Leicester.						
Wilts . . . . .	542	9	10	<i>nil</i>		
Worcester. . . . .	215	10	4	15	0	0
York . . . . .	440	7	3	<i>nil</i>		
Bosham . . . . .	43	0	0	57	0	0
Colchester . . . . .	40	0	0	<i>nil</i>		
Faringdon . . . . .	145	0	0	5	0	0
Mienes . . . . .	148	1	8	<i>nil</i>		
Southampton . . . . .	200	0	0	"		
Winchester . . . . .	142	12	4	"		
	9,658	17	8	1,894	6	5

TABLE II. ADDENDUM

Further Honours, to be added to Turner's List

*Temp. Henry II*

	<i>Blanch.</i>			<i>Numero.</i>					
	£	s.	d.	£	s.	d.	£	s.	d.
Forward (Turner's List) . . .	9,658	17	8	1,894	6	5			
Eye . . . . .		<i>nil</i>		306	3	8			
Mildenhall . . . . .		"		30	0	0			
Honour of Essex or the Con-									
stables from 28 Hen. II . . .		"		257	15	4			
Tickhill . . . . .		"		53	14	0			
Earl Giffard . . . . .		"		324	15	4			
Wycombe . . . . .		"		72	0	0			
Peverel . . . . .		"		203	10	0			
Doncaster . . . . .		"		66	13	4			
Honour of Boulogne . . . . .		"		155	0	0			
Waltham . . . . .		"		100	0	0			
	<hr/>			<hr/>					
	9,658	17	8	3,463	18	1			
	<hr/>			<hr/>			13,122	15	9

For the last years of Henry II the following might be added:

	£	s.	d.
Honour of Vesci . . . . .	387	8	2
Earldom of Gloucester . . . . .	583	17	0
Honour of Striguil . . . . .	89	3	5
	<hr/>		
	1,060	8	7
	<hr/>		

TABLE III. DANEGELD

8 Henry II, 1161-1162

At 2s. the Hide

	<i>Paid.</i>			<i>Remitted.</i>			<i>Due.</i>		
	£	s.	d.	£	s.	d.	£	s.	d.
Leicester . . . . .	62	12	7	37	6	9	—	—	—
Warwick . . . . .	86	4	2	32	6	11	—	—	—
Devon . . . . .	81	13	7	8	2	1	—	—	—
Northampton . . . . .	77	16	11	30	8	8	—	—	—
Rutland . . . . .	8	0	0	3	12	0	—	—	—
Wilts . . . . .	233	14	6	109	16	0	—	—	—
Terra Fitz Alan (Arundel) . . . . .	73	16	8	46	14	0	—	—	—
Lincoln . . . . .	160	0	0	44	17	0	61	3	9
Somerset . . . . .	240	0	0	35	13	6	1	6	6
Dorset . . . . .	204	10	0	21	14	0	22	13	10
Oxford . . . . .	114	5	10	129	13	4	—	—	—
Stafford . . . . .	22	4	9	9	16	3	—	—	—
Sussex . . . . .	157	0	6	41	8	3	12	6	0
Notts and Derby . . . . .	76	9	3	15	13	0	—	—	—
Hants . . . . .	154	16	4	29	10	0	—	—	—
Beds and Bucks . . . . .	220	14	0	91	16	0	—	—	—
Berks . . . . .	120	0	0	57	12	8	—	—	—
Surrey . . . . .	65	0	0	98	10	0	—	—	—
Cambridge . . . . .	76	12	9	28	2	0	—	—	—
Hunts . . . . .	54	0	0	11	6	0	—	—	—
Yorks . . . . .	104	12	0	33	13	10	—	—	—
Kent . . . . .	24	0	0	78	4	0	—	—	—
Worcester . . . . .	32	12	0	68	14	0	—	—	—
Hereford . . . . .	63	0	0	23	11	0	—	—	—
Gloucester . . . . .	120	0	0	45	0	0	8	8	3
Norfolk . . . . .	194	3	3	135	6	9	10	0	0
Suffolk . . . . .	117	0	0	101	1	5	—	—	—
Essex . . . . .	100	0	0	113	14	0	—	—	—
Herts . . . . .	52	10	0	45	10	1	—	—	—
Middlesex . . . . .	35	0	0	50	12	0	—	—	—
	3,132	9	1	1,579	5	6	106	8	4
	3,132	9	1						
	1,579	5	6						
	106	8	4						
Total on King's Books . . . . .	4,818	2	11						



TABLE IV. LEGAL AND ILLEGAL IMPOSTS CONCURRENTLY  
LEVIED BY HENRY II

Regnal year.	Tax.	Legal.			Illegal.					
		£	s.	d.	Yield.	£	s.	d.		
2	Scutage (clergy only)	1	0	0	491	9	4	1,666	6	3
5	Scutage		13	4	571	1	9	8,267	2	2
7	Scutage	1	6	8	1,403	3	1	1,542	19	4
8	Scutage		13	4	887	7	10	338	14	7
9	Scutage (western counties)				111	19	10	—		
11	Scutage		13	4	1,763	0	0	1,841	11	8
14	Aid (Matilda's marriage)		13	4	2,408	0	0	2,019	0	0
18	Scutage	1	0	0	2,114	0	0	—		
33	Scutage	1	0	0	2,203	11	4	1,804	7	4

For rates of scutage see Red Book Excheq. I. 6-8.

TABLE V. ANALYSIS OF REVENUE

18 Henry II, 1171-1172

	<i>£</i>	<i>s.</i>	<i>d.</i>
(1) Landed returns, including County and Borough Farms, Increments, Honours and lands in hand, great and small, Purprestures, sales of Timber, <i>Census Forestarum</i> , Pannage or Agistment of hogs	12,730	1	8
(2) Scutage	2,114	0	0
(3) Sees in hand (gross)	4,168	3	11
(4) Fines	664	19	4
(5) Amercements	1,528	14	4
	21,205	19	3
Combustions ?	150	0	0
	21,355	19	3

TABLE VI. ANALYSIS OF REVENUE

33 Henry II, 1186-1187

	<i>£</i>	<i>s.</i>	<i>d.</i>
(1) As above	15,120	16	1
(2) Scutage	2,203	0	0
(3) Sees in hand (gross)	2,799	19	2
(4) Tallages	1,804	0	0
(5) Fines	1,219	19	4
(6) Amercements	1,434	8	5
	24,582	3	0
Combustions ?	120	0	0
	24,702	3	0

TABLE VII. TALLAGE

34 Henry II (from MS.)

	<i>Assessment.</i>			<i>Amount exacted.</i>		
	£	s.	d.	£	s.	d.
Corbridge . . . . .	29	3	8	14	16	6
Newcastle . . . . .	46	13	4	10	0	0
Southampton . . . . .	32	13	4	—	—	—
Lincoln . . . . .	176	4	0	—	—	—
Yarmouth . . . . .	25	13	4	12	16	8
Norwich . . . . .	93	16	8	45	3	9
Rochester . . . . .	27	10	0	13	15	0
Dunwich . . . . .	16	18	4	—	—	—
Grimsby . . . . .	45	15	0	16	10	10
Cambridge . . . . .	74	10	0	18	5	10
Huntingdon . . . . .	36	3	4	15	5	0
Oxford . . . . .	20	16	4	4	14	0
York . . . . .	226	0	0	83	18	6
Carlisle . . . . .	40	0	0	13	6	8
Chichester . . . . .	26	10	0	11	16	0
Hereford . . . . .	10	0	0	3	6	8
Cirencester . . . . .	13	6	8	6	13	4
Bristol . . . . .	3	0	0	1	10	0
Newcastle-under-Lyme . . . . .	15	3	8	8	10	0
Stafford . . . . .	13	0	0	6	10	0
Wilton . . . . .	25	6	8	12	0	0
Worcester . . . . .	20	0	0	10	0	0
Winchester. . . . .	93	11	7	27	19	7
	<hr/> 1,111 15 11 <hr/>			<hr/> 336 19 4 <hr/>		

## RICHARD I

*Crowned 3rd September 1189; died 6th April 1199*<sup>1</sup>

### 35 HENRY II—I RICHARD I

(Pipe Roll, No. 35)

#### Part II

1188–1189. On the 20th July 1189 Richard “*Cœur de Lion*” was installed as Duke of Normandy, girt with the Ducal Sword, and presented with the Banner of the Duchy, as already mentioned. On the 13th August he landed at Portsmouth. He had done homage to Philip, and both had pledged themselves to start for the Holy Land in Lent.<sup>2</sup>

The Roll, as we have seen, falls to be divided between two reigns, and we have already dealt with the portion belonging to the time of Henry, to which most of the facts of financial interest fall. Among these we have given the returns from the Sees in hand, and the circuits of the Judges. Clearly appertaining to Richard’s time, however, are the charges for bringing plate from the treasury at Salisbury to Westminster, for the coronation; for providing utensils; and for provisions and wine. Under the former head we have 4,050 platters (*scutellae*) and 400 cups (*cyphi*), all presumably of wood, as they only cost £5 11s.; among the provisions we have 3,770 fowls bought in Kent and Essex.<sup>3</sup> Then comes liberal expenditure for robes and fur for Queen Eleanor; for the sister of the Queen of France (Alais); for William of Winchester of Saxony; for Isabel, John’s intended, now recognized as Countess of Gloucester; and for another Isabel, Isabel of Clare, Strongbow’s heiress, Countess of Striguil (Chepstow) or Pembroke, and affianced to William Marshal.

<sup>1</sup> Angevin Empire, 262.

<sup>2</sup> Pipe Roll, No. 35; printed by Hunter with the erroneous date of 1189–1190. The summation is taken from the figures on the manuscript; the notes are taken some from the print, and some from the manuscript.

<sup>3</sup> Pipe Roll, Hunter, 21, 178, 233.

But Richard's hand is most clearly seen in sweeping grants, ominous for the revenues of the future. First, apparently, comes the King's brother John, hitherto only designated as "John the King's Son"; but now fairly recognized as Count or Earl of Mortain in Normandy, a fief "which had been the property of King Stephen, and had escheated on the death of his son William in 1159".<sup>1</sup> In addition John gets the following:

	£	s.	d.
Honour of Gloucester (i.e. the earldom) assessed at	548	17	11
Lancaster (the whole farm)	200	0	0
Orford (same)	40	0	0
Norfolk estates in hand	60	0	0
Tickhill (whole farm)	85	0	0
Sherwood (Forest returns)	20	0	0
	<hr/>		
	953	17	11 <sup>2</sup>

Richard apparently thought that his best chance was to earn his brother's gratitude by unbounded liberality, and so finally he conferred upon him a perfect principality in the West, making over to him all Crown rights over Dorset, Somerset, Devon, and Cornwall.<sup>3</sup> But even so, far ahead of John in the matter of endowment, came the Queen Mother, according to a mysterious entry that records that the Sheriff of Wilts has paid £72 to Ralph fitz Stephen and Alan "Dispenser" on her behalf, as Combustion at the rate of 6d. on the £1 on grants made to her ("*Ad soltam Reginae faciendam per combustionem vi denariorum libra per breve Rannulf de Glanville per preceptum Regis*").<sup>4</sup> This implies that Eleanor had to account for £2,880 of blanchied rent for lands or rights farmed by her. Where the lands were situate, or what the farmed rights consisted of, does not appear. But if the Queen was not called upon to pay even the Combustion on her rent, one may wonder how much of the rent itself would be exacted. Some of the grants in favour of John had been announced in Normandy, an unconstitutional proceeding that excited comment, as being exercises of Royal prerogative before coronation or election. Neither scutage nor

<sup>1</sup> Stubbs.

<sup>2</sup> Pipe Roll, Hunter, 7, 18, 40, 54, 91; Stubbs, Const. Hist. I. 535.

<sup>3</sup> Ben. P. II. 99; Hoveden, III. 27; less correctly W. Newburgh, I. 301.

<sup>4</sup> Hunter, 172.

tallage was called for, but the revenue comes out a trifle higher than that of the previous year :

	£	s.	d.
Paid in or accounted for without Combustion	23,648	1	2

## 2 RICHARD I

(Pipe Roll, No. 36)

1189-1190. The reckless profusion of Richard's first year having dissipated his means, the efforts of the second year were directed towards filling up the void, and here we are at once introduced to that disgraceful system of the sale of offices, Crown property and Royal favours, that will be found to characterize the reign. Richard had obtained from Clement III leave to free men, required for the government of the country in his absence, from the burden of Crusading vows ;<sup>1</sup> that is to say, as Richard worked it, leave to sell dispensations from Crusading vows. On the other hand, men with money found in the King's needs opportunities for the profitable investment of money. Hugh of Puiset, the famous Bishop of Durham, led the way by buying the Wapentake of Sadberge, with all rights, for 600 marks (£400).<sup>2</sup> He also bid 2,000 marks for the earldom and county of Northumberland ;<sup>3</sup> and forthwith took possession, entering on a Judicial Itinerary round the county, in company with William fitz Aldelin.<sup>4</sup> Hugh of Nonant, Bishop of Lichfield, Chester, and Coventry, pays 300 marks (£200) for the Priory of Coventry ; and offers (*debet*) 200 marks (£133 6s. 8d.) for the three sheriffdoms of Warwickshire, Leicestershire, and Staffordshire.<sup>5</sup> William of Beauchamp buys the sheriffdom of Worcester for 100 marks (£66 13s. 4d.) ;<sup>6</sup> William of Braiose offers 1,000 marks (£666 13s. 4d.) for the keeping of Monmouth.<sup>7</sup> Geoffrey the King's son, the Elect of York, pays in £278 6s. 8d. and £188 6s. 8d. on account of 2,000 marks for Bowes Castle.

<sup>1</sup> Richard of Devizes, *De Gestis Ric. I.* 8, 10 (Stevenson).

<sup>2</sup> See the charter, and a confirmation of it, Hoveden, III. 13, 38.

<sup>3</sup> Pipe Roll 2 Ric. I, pipe 2 dors. "*debet 2,000 m.*"

<sup>4</sup> Id. 5. Shortly before his death Puiset paid in £666 13s. 4d. (1,000 marks) for Northumberland (Pipe Roll 8 Ric. I) ; the 600 marks for Sadberge remaining still unpaid.

<sup>5</sup> Pipe Roll 2 Ric. I, pipe 4. The Bishop accounts for Warwick and Leicester.

<sup>6</sup> Id. p. 3.

<sup>7</sup> Id. p. 5.



From another man we have an offer of 2,000 marks, half paid down, for Knaresborough.<sup>1</sup> Gerald of Camville pays down £320 3s. 8d. on account of 700 marks (£466 13s. 4d.) for the sheriffdom of Lincolnshire.<sup>2</sup> The Abbot of St. Edmund's gives £666 13s. 4d. for Mildenhall; and Roger Bigod, son of the rebellious Hugh, who had been admitted to the title but not to the estates (25 November 1189), finds money enough (£870) to buy the county back.<sup>3</sup>

Geoffrey of Lucy, son of the faithful Richard, just appointed Bishop of Winchester, pays down £3,000 to recover for the benefit of his diocese the lost Honours of Meon and Wargrave, with the keeping of the castles of Winchester and Porchester.<sup>4</sup> Geoffrey of Say offered 7,000 marks (£4,666 13s. 4d.) for the earldom of Essex vacant through the death of William of Mandeville.<sup>5</sup> But the instalments not being paid with sufficient regularity, the earldom was eventually resold to Geoffrey fitz Peter, a rival claimant, for £2,000.<sup>6</sup> A more business-like transaction was the fine of 2,000 marks (£1,333 6s. 8d.) offered by William Marshal, Earl of Pembroke, in right of his wife, Isabel of Clare, for the half of the Honour of Earl Giffard, long in hand, and farmed out for £324 15s. 4d. The King has remitted 500 marks, reducing the fine to £1,000, which Marshal has paid, all but £171 7s. 4d.<sup>7</sup> Lastly, William the Lion was allowed in consideration of 1,000 marks to emancipate himself from the trammels of the Treaty of Falaise-Valognes, and to recover Edinburgh, Roxburgh, and Berwick with all estates in England.<sup>8</sup> In connexion with these huge fines and the large balances left owing, we get a new special head of *Nova Promissa* coupled with the old *Oblata et Conventiones*.

For taxation we have a scutage of 10s. the knight's fee, imposed for an expedition to South Wales under John, necessitated by another outbreak on the part of Rhys ap Gruffudd, who had not only not done homage, but had seized Llanstephan and other places.<sup>9</sup>

<sup>1</sup> Pipe Roll 2 Ric. I, p. 6.

<sup>2</sup> Id.; Doyle, Official Baronage.

<sup>4</sup> Pipe Roll, 11; R. Devizes, 10.

<sup>6</sup> See Angevin Empire, 281.

<sup>8</sup> See Angevin Empire, 275.

<sup>9</sup> Id. 272; Red Book Excheq. 9.

<sup>3</sup> Id. p. 7, and 7 d.

<sup>5</sup> Pipe Roll 9 d.

<sup>7</sup> Pipe Roll 31 Henry II, 141.

With respect to landed returns, from Somerset, Dorset, or Devon nothing is returned, John disdaining to render any accounts. He had been created Earl of Gloucester in August 1189. But out of the revenues the sum of £373 10s. 5*d.* can still be kept from him, with a further sum of £50 on account of "Dower".<sup>1</sup> The estates of the late William de Vesci are in hand, bringing in £242 5s. 6*d.*; the allowance to his son Eustace, destined to figure as one of the famous Magna Carta barons, is 3s. a day, or £54 10s. a year; being between a fourth and a fifth of the income paid in. It is worth noting that in the parallel case of a small estate of £6 a year the heir is allowed £1 6s. 8*d.* for maintenance and clothing, much the same proportion, as if there was a customary understanding to that effect.

The City of London is in the hands of *Custodes*, who have to account for the full rents and profits, and the sum that they pay in is only £123 12s. 6*d.*, and that on account of arrears, whereas the farm was assessed at £500 'blanch' and £22 in current coin. But apparently that sum was quite excessive.<sup>2</sup>

For Sees in hand we have Winchester, vacant by the death of our friend of the *Dialogus*, Richard Toclive of Ilchester, who passed away 12th December 1188; London and York we had before; we gain Sherborne; but we lose Salisbury, filled by the promotion of Hubert Walter (22 October 1189); we also part with St. Mary's Leicester and Selby.

Sees in hand:

	<i>Paid in</i> ( <i>In Thro</i> ).			<i>Accounted for.</i>		
	£	s.	d.	£	s.	d.
Winchester . . . . .	430	0	0	1,056	19	7
London . . . . .	136	19	0	223	11	4
Sherborne . . . . .	50	4	3	119	13	4
York (three-quarters of a year, with some arrears) . . . .	432	7	11	600	5	7
	<hr/>			<hr/>		
	1049	11	2	2,000	9	10
	<hr/>			<hr/>		

Ely had been filled by the appointment of William Longchamp,

<sup>1</sup> Pipe Roll, p. 1.

<sup>2</sup> On this point see Round, *Commune of London*, 234.

but the treasure left by his predecessor, Geoffrey Liddel (£196 9s. 10d.), is now brought to London, also his wine.<sup>1</sup>

Money being greatly needed, of Judicial Circuits we have the following formidable array :

John Bishop of Norwich and Gilbert Bishop of Rochester traverse Essex, Herts, Kent, Sussex, Norfolk, and Suffolk.

Geoffrey fitz Peter, Ralph Murdac, Michael Benet, and Nigel fitz Alexander visit Bucks, Beds, Warwickshire, Leicestershire, and Northants.

Hugh Bishop of Durham, William de Stuteville, William fitz Aldelin, and Roger of Arundel take Yorkshire in hand.

Hugh Bardolf, Ralph fitz Stephen, Ralph Archdeacon of Colchester, and Richard Archdeacon of Coventry judge Oxfordshire, Hants, Wilts, Somerset, and Dorset.

Hugh Bardolf and William Brewer with others perambulate Berks and Cornwall.

Lastly, Hugh Bardolf and Ralph fitz Stephen, with Richard Brito and Robert of Inglesham, both Archdeacons, extend the Iter to Cornwall.

But the harvest was not a fruitful one. Tallages, still politely styled *Dona*, were called for, but not to a great extent. We are also told that very few amercements were inflicted, and that nothing was recovered in the way of arrears.

On the expenditure side we have further outlays for the coronation, such as payments for 900 hens and for 1,900 hens ; for wine sent down to the King's manors, 1,700 platters (*scutellae*) and 500 cups, and again 2,000 platters and 200 cups, and so on. £134 16s. 10d. are paid for coronation robes, with £73 for robes and furs for two favoured knights.

More interesting are the details of the modest equipment of the armament for Holy Land. We hear of thirty-three ships bought from the Cinque Ports, with three from Southampton, and three from Shoreham, two-thirds on the King's account, and one-third on account of others. For the King's twenty-six ships £1,384 9s. 5½d. are paid. For the wages of the crews of the same, namely 964 steersmen and seamen for a year, £2,932 1s. 4d.

<sup>1</sup> Pipe Roll, p. 11.

are allowed. Each steersman is rated as two seamen.<sup>1</sup> Tents for the King's use cost £122 18s. For supplies for the army we have £1,056 19s. 7d. expended for cheese and 'bacons', flitches of bacon, bought at Winchester; with further sums for 635 more 'bacons', and again 600 'bacons', with 20 quarters of beans, 100 weighs of cheese laid in; besides 10,000 horseshoes with double nails. For the military chest we have £2,500 and 7,000 marks, £6,716 13s. 4d. in all provided.<sup>2</sup> Sixteen knights at 1s. a day and twenty-five light horse at 6d. a day sailed with the King from Pembroke.<sup>3</sup>

Queen Eleanor sailed at the same time as the King, and in the King's yacht ("esnecca", snack, smack); along with the sister of the King of France, the luckless Alais, twice formally engaged to Richard and twice rejected.<sup>4</sup> The Countess of Albemarle and Philip of Columbers also accompanied Eleanor.<sup>5</sup>

Considerable sums are allowed for the marriage of the daughter of 'Earl Duncan', presumably Duncan of Galloway, to a son of Roger of Merley or Morley. It was a matter of state policy to find English connexions for Celtic feudatories.<sup>6</sup>

In the way of public works we have £50 expended at the Tower, with £1,216 13s. 4d. taken from the Treasury for the same. But the bringing of water to the Palace at Westminster costs only 2s.<sup>7</sup>

£114 are spent on provisions to be sent to Ireland, presumably for garrisons there.<sup>8</sup>

As a natural consequence of the dissipation of resources in the previous year the revenue falls woefully.

	£	s.	d.
Revenue without Combustions .	16,332	5	1

<sup>1</sup> See the account of Henry of Cornhill on the Pipe Roll. The money is drawn partly from the Exchequer, partly from the Tower, of which we now have as a place of deposit.

<sup>2</sup> Pipe Roll, 10.

<sup>3</sup> Id. 7, 8.

<sup>4</sup> See Angevin Empire, 96, 175, 264, 289.

<sup>5</sup> Pipe Roll, 9. The Countess of Albemarle was Hawise, daughter and heiress of William le Gros, and widow of William of Mandeville, Earl of Essex and Albemarle; Doyle.

<sup>6</sup> Pipe Roll, 14 d.

<sup>7</sup> Id. 12 d. and 1 d.

<sup>8</sup> Id. 9.

## 3 RICHARD I

(Pipe Roll, No. 37)

1190-1191. The finance of the troubled years that we have reached must be read in connexion with the general history of the time. Richard, on leaving England in 1190 for the Crusade, had left as his chief representative his faithful but unscrupulous servant William of Longchamp, Chancellor and Bishop of Ely. This man's position was further enhanced by the receipt of a Legative Commission from Clement III. Making the most of his opportunity, he ruled England without opposition, but with ever-increasing unpopularity for many months, and so our second year closed with a dismal fall in the revenue. But for that Richard himself was to blame. A disturbing element came in when Earl John came back, presumably at some time in 1190, to enjoy the magnificent appanage so unwisely conferred upon him by his brother. Between John and the Legate there was no ill-feeling to begin with, but men with grudges against the Legate soon began to look to the Earl of Mortain and Gloucester as a rallying-point. A coolness ensued when it became known that Richard had declared his nephew Arthur of Brittany his heir, and that Longchamp was working for the recognition of the young Count, while John considered himself the heir and something more, Richard's return being generally considered very doubtful. The two were at variance in March 1191 on a question of castles and pecuniary allowances to John. No collision, however, happened till towards Midsummer, when they fell out over the question of Gerald of Camville, who, being hereditary Constable of Lincoln Castle, in right of his wife, had, as we have seen, bought the county. Longchamp, in pursuance of his policy of revoking Richard's improvident grants, having deprived Camville of the sherifffdom, called on him to surrender the castle also. Camville appealed to John, who ordered the Chancellor to reinstate Camville. Both prepared to draw the sword. The Regency Council succeeded in averting bloodshed, but the contention between the parties kept the country in a state of unrest fatal to the revenue.<sup>1</sup>

<sup>1</sup> See Angevin Empire, 277, 308.



A feature of the year was the hunting up, North, South, East, and West, of the moneys due to the estate of the millionaire Aaron of Lincoln, impounded by the late King. Aaron evidently dealt only in money, his assets falling under three heads, namely, bond debts (*super cartas*), judgment debts (*per placita*), and mortgage on land (*super terram*). Lists showing the amounts still due this year in twenty counties give a total of £6,733 5s. 6d. Next year we shall get lists showing only £3,940 as still due, thus indicating £2,793 5s. 6d. as having been paid or compounded for in the interval; we might almost say compounded for, the sums entered as paid being really trivial. And here we get a very signal illustration of the complaints in the *Dialogus* as to the difficulty of enforcing payment of debts from landowners.

Henry of Cornhill renders an interesting account of the profits for one year of the Exchange of All England except Winchester, of which we have already heard. With a capital of £1,200 to start with, he has made £400, for which he accounts.<sup>1</sup>

Under the head of fines we have Beatrice of Say paying a relief of £1,178 6s. 8d. for succession to the property of her nephew William of Mandeville;<sup>2</sup> the earldom having been sold to her son Geoffrey, as already mentioned. Under Gloucestershire we find Robert of Berkeley, son of Maurice recently deceased, paying £170 on account of a Relief of 1,000 marks (£666 13s. 4d.), while another Maurice Berkeley fines another 1,000 marks.<sup>3</sup> The Abbot of Fécamp 'owes' £1,770 for the King's goodwill, an old formula.<sup>4</sup> Geoffrey the Elect of York, being detained in Normandy, offers £1,500 for Bauge. Richard Earl of Hertford pays £580, apparently for recognition as Earl of Clare.<sup>5</sup>

No fresh tallages were laid on, nor was any attempt made to enforce arrears of old tallages. We hear of payments made to the King direct, and of large sums sent to him abroad, £46 13s. 4d. being charged for the mere cost of transport.

Garrisons are found at Winchester, Salisbury, Southampton, and Carmarthen.<sup>6</sup> Of "Holeborn" bridge, across the Fleet river, at the foot of Holborn Hill, we get, presumably, our earliest

<sup>1</sup> Pipe Roll, pipe 2.

<sup>2</sup> Id. 11.

<sup>3</sup> Id. 6.

<sup>4</sup> Id. 9 d.

<sup>5</sup> Id. 10 d.

<sup>6</sup> Pipe Roll, 7 d. and 8. £366 13s. 4d. expended at Carmarthen.

notice. £2 3s. 8d. are allowed for its construction. We also have repairs to the King's house at Oxford, and, apparently in connexion therewith, another Exchequer Audit is held at Oxford.<sup>1</sup> We find that Earl David, i. e. David Earl of Huntingdon, brother of William the Lion, is in the receipt of a pension of 100 marks, charged on the farm of Northamptonshire by the gift of the late King. Hodierne, King Richard's nurse, has the handsome pension of £7 a year for life ; <sup>2</sup> and we find £10 9s. 4d. expended for the King's son Philip, Richard's only recorded issue.<sup>3</sup>

For circuits we have the Bishop of Durham visiting Yorkshire in company with Robert of Haseley and Patrick Riddel, Abbot Benedict and Hubert Walter, now Bishop of Salisbury, visit Lincolnshire ;

while Geoffrey Glanville, Bishop of Winchester, John Marshal, and others judge Berks and Oxon.

William de Vere, Bishop of Hereford, William Marshal, and Robert of Whitfield traverse Gloucestershire.

Roger Bigod, Roger fitz Renfrid, and Richard Barr judge Norfolk, Suffolk, and Essex.

In connexion with this last circuit, we have a ' Common Assize ' of £8 laid on the county of Norfolk, for having appointed a day of " Essoin " without the leave of the Justices.<sup>4</sup>

Low as the revenue of the last year was, that of our third year sinks lower still.

	£	s.	d.
Total revenue without Combustions	13,967	18	11½

<sup>1</sup> Pipe Roll, 3 and 6 d.

<sup>2</sup> Id. 5.

<sup>3</sup> Id. 9.

<sup>4</sup> Id. 10. For 'essoins', or excuses for non-appearance, " the bulkiest chapter of our old law ", see Pollock and Maitland, II. 562.

## 4 RICHARD I

(Pipe Roll, No. 38)

1191-1192. The opening days of our year witnessed events of supreme interest, including the recognition of John as heir to the throne failing issue of Richard; the grant of municipal independence to the City of London, and the deposition and expulsion of Longchamp. John was made virtual if not actual Regent, with Walter of Coutances the Archbishop of Rouen as Chief Justiciar under him, in conjunction with the consultative committee appointed by Richard. An attempt at return on Longchamp's part having failed, under the judicious administration of Walter of Coutances and the Queen Mother, England passed through the summer and autumn of 1192 in tolerable peace and quiet.<sup>1</sup> But a considerable expenditure on castles shows how uncertain the situation was felt to be. We have £79 18s. 7d. expended on Wallingford; £34 16s. 10d. for victualling Bristol; £108 1s. 5d. for castles in Kent; and £60 11s. 8d. for light horse.<sup>2</sup> The garrison at Southampton included five mounted men-at-arms.<sup>3</sup>

A somewhat disturbed state of society, at any rate in London, is suggested by a note on the Roll recording the fact that William Earl of Albemarle, a returned Crusader, had laid his hands on the proceeds of the Mint and Exchange.<sup>4</sup>

Only a restricted list of fresh circuits comes to hand, with plentiful arrears from former visitations.

The Chancellor, doubtless Longchamp, appears as having partly judged Yorkshire, to be followed later by the Archbishop of Rouen.

The latter again is also found traversing Middlesex and Hants. Ralph Archdeacon of Hereford and Robert of Whitfield visited Shropshire.

But it is not always easy to distinguish between the records of the doings of new and of old Assizes, the new judgments not being always distinguished as "*Nova Placita*", as they should be.

<sup>1</sup> Angevin Empire, 311, 315, 327.

<sup>2</sup> Pipe Roll, 7 d, 9 d, 10, 12.

<sup>3</sup> Id. 10 d.

<sup>4</sup> Id. 12. The Earl of Albemarle was William of Fortz in Oléron, a Portevin, third husband of Hawise of Blois, Countess of Albemarle.

Eustace de Vesci, the heir of William who died in 1184, being now of age,<sup>1</sup> fines £794 7s. 8d. as Relief, and for leave to marry.<sup>2</sup> Jacob son of Samuel fines £386 13s. 4d. for succession to his father's goods. Aaron's debts again figure largely on parchment, but the biggest single payment enforced is only £21, while the list of debts yet to be got in amounts to £3,940 as already mentioned. The county of Bedford is amerced £78 4s. for the disafforesting of some lands afforested by Henry II.

The payment of £33 6s. 8d. to the King at Lyons is recorded. The profits of Queenhithe, £6 6s., are assigned to Eleanor.

With respect to the often-mentioned pension of a penny a day, we have wondered how high in the social scale such an allowance would suffice. We now find that at Oxford a chaplain could be had for that stipend.<sup>3</sup> But multiplied by three and then by fifteen, according to our estimate of purchasing power, the sum would represent £68 8s. 9d in modern values.

Two shillings and sixpence are paid for soft pitch for Greek fire.

The revenue again falls heavily. The Roll is defective, but not to a serious extent.

	£	s.	d.
Revenue without Combustions . .	10,363	8	3½

## 5 RICHARD I

(Pipe Roll, No. 39)

1192-1193. In England the year 1192 ended in outward peace, but considerable anxiety as to the fate of the King, known to be on his homeward journey. The New Year found the nation arming to resist the attempts of John to oust his brother, treacherously arrested in the outskirts of Vienna (20 December) by a brother Crusader, Leopold Duke of Austria, a man, no doubt, whom Richard had grossly offended in Palestine. Authentic information of the King's imprisonment reached the country in January (1193). John at once broke out of bounds; hastened over to Normandy; came to terms with Philip; and came back with mercenaries. He seized and

<sup>1</sup> Pipe Roll 30 H. II, 20; and *Rotulus de Dominabus*, 9 (Pipe Roll, No. 35), William de Vesci is designated as *filius Ketelli*.

<sup>2</sup> Pipe Roll 4 Ric. I, p. 4.

<sup>3</sup> Pipe Roll, 9.

garrisoned Windsor; but Wallingford, as we have seen, had been secured. He went to London and demanded recognition of the Justiciars—alleging that the King was dead. They responded by exacting general oaths of allegiance to Richard, putting further Royal castles into order, and calling out levies. Walter of Rouen laid siege to Windsor; Geoffrey of York occupied Doncaster; Bishop Puiset attacked Tickhill. On the 20th April the hands of the Government were strengthened by the return of Hubert Walter, Bishop of Salisbury, with letters from the King, announcing that his ransom had been fixed at 100,000 marks (£66,666 13s. 4d.) to be paid in halves at Michaelmas 1193 and Mid-Lent 1194; ordering measures to be taken for raising the money; at the same time giving directions for the promotion of Hubert Walter to the Primacy, vacant by the death of Baldwin.<sup>1</sup>

Disappointed in his hopes of support from Scotland, and finding that Windsor was about to fall, John, in April, consented to a truce till November.<sup>2</sup> With England in such a state the revenue, of course, falls below the total of the previous year, modest as that had been. The County Farms provide some £3,500 or one-third of the whole, while the expenditure practically is all military.

We have £21 5s., £26 13s. 4d., and £99 15s. 8d. expended on castles at Eye and Oxford; <sup>3</sup> £100 13s. 6d. for clothing for soldiers; £82 16s. 4d. for Lincoln Castle; wages at Doncaster, £52; <sup>4</sup> men on the North frontier, £41 6s. 8d.; on the South coast, £126 6s. 8d.; Newcastle, £35; Hereford, £55 12s. 8d.; Warwickshire, soldiers to keep the peace, £96 6s. 8d.; <sup>5</sup> Bridge-north Castle, £32 8s.; levies in Gloucestershire, £147 17s. 2½d. Money is expended at the Tower of London, on Winchester, Pevensey, Chichester, Canterbury, and Rochester Castles. We hear of the money in the Exchequer being removed to St. Paul's for safety.

Richard's orders were not neglected. For his immediate use we have a disbursement of £97 6s. 2d. for robes of scarlet and

<sup>1</sup> Baldwin died 19th November 1190. Hubert Walter was elected on the 20th and confirmed on the 30th May 1193.

<sup>2</sup> Angevin Empire, 327, 328.

<sup>3</sup> Pipe Roll 5 Ric. I, p. 2, 10 d.

<sup>4</sup> Id. 4.

<sup>5</sup> Id. 5, 6, 7.



green, and a doublet of fur to be sent to him in Germany; with £10 17s. for furs for his retinue. The worthy Usher of the Upper Chamber is sent round with a preliminary notice calling on all faithful lieges to be ready to contribute for the ransom. Otto son of the Duke of Saxony is sent out to Germany to negotiate. Journey money is also furnished for the Chancellor Longchamp, for a visit to the King.<sup>1</sup> He saw Richard at Trifels in Rhenish Bavaria; and obtained letters authorizing him to receive and bring over the hostages required for his, Richard's, liberation. But the Justiciars refused to have anything to say to Longchamp; the whole country rose against him, and Richard, finding that his presence would only give trouble, recalled him and kept him employed on diplomatic business abroad.<sup>2</sup>

For circuits we have Geoffrey fitz Peter, Osbert fitz Hervé, and William fitz Richard visiting Cambridge and Hunts; while Henry Dean of York, Ralph Archdeacon of Hereford, and Hugh Bardolf visit Cumberland.

Driblets from 'Aaron's debts' still keep coming in, but the outstanding amounts are still very considerable; we hear of £4,000 due in one county and of £2,000 due in another county. Nothing comes in from Somerset, Dorset, or Devon (John's counties).

In the way of noticeable fines we have Geoffrey fitz Peter paying in £333 6s. 8d. to make up his 2,000 marks for the earldom of Essex.<sup>3</sup> The Abbot of Fécamp pays in £101 2s. 6d. on account of £1,359 still due on his big fine 'for the King's good will'. William fitz Isabel, late sheriff of London, pays in £37 13s. 4d. on account of an amercement of £497 inflicted on him for having wrongfully imprisoned one man, and taken 20s. from another man on false evidence.<sup>4</sup> A Bishop is amerced for having entertained a plea as to an advowson in a Court Christian.<sup>5</sup>

A curious entry in the accounts of London and Middlesex is that of £5 paid to the Bishop of London, our friend Richard fitz Neal, the Treasurer "*Pro libertate sedendi ad scacc.*" We heard in the *Dialogus* of the general immunity from taxation enjoyed

<sup>1</sup> Pipe Roll, 12 d and 2.

<sup>2</sup> Angevin Empire, 330, 331.

<sup>4</sup> Id, 12 and 12 d.

<sup>3</sup> Pipe Roll, 1.

<sup>5</sup> Id. 4 d.

by Barons of the Exchequer.<sup>1</sup> The £5 in question was simply a refund of money that had been improperly exacted of him.<sup>2</sup> The entry might be rendered: 'Repaid, on account of his immunity as one sitting at the Exchequer.'

A further sum of £4 12s. 5d. is expended on Holborn Bridge.<sup>3</sup>

Soldiers' wages run about the same. Men-at-arms (*milites*) have 1s. a day; light-armed horse with hauberk (*haubergelli*), 6d. a day, without, 4d. or 3½d. Foot-soldiers, 2d. a day.

'Queen' Emma, wife of David 'King' of North Wales, receives a sum of £15 13s. She was a natural sister of Henry II, married to David, son of Owain Gwynedd.<sup>4</sup>

The payment of a fine of £6 13s. 4d. by a man to have the record of his title to certain lands entered on the Pipe Roll suggests that as yet there was no enrolment of Pleas of the Exchequer.<sup>5</sup>

	£	s.	d.
Revenue without Combustions . . .	10,009	12	8

## 6 RICHARD I

(Pipe Roll, No. 40)

1193-1194. Duke Leopold was not allowed to keep his prize all to himself. His Imperial suzerain insisted on having his share, and, in the meantime, the custody of the prisoner; the money to be shared equally between them, and paid by halves at Michaelmas 1193 and Mid-Lent 1194. The stringency of these terms will be noted.<sup>6</sup> The ransom would be equal to three years' average of England's revenues of the time of Henry II. But the foreign dominions would also have to contribute.

Henry VI was playing a very mean part, squeezing Richard, and at the same time breaking faith with his partner. On the 29th June (1193) the Emperor gave a formal pledge to set Richard free; but the ransom was now raised to 150,000 marks,

<sup>1</sup> *Dial.* 93.

<sup>2</sup> See Madox, II. 20. Richard had been consecrated Bishop of London, 31st December 1189. But he still kept the Treasury Seals.

<sup>3</sup> Pipe Roll, 12 d.

<sup>4</sup> *Id.* 6; Angevin Empire, 374.

<sup>5</sup> *Id.* 2 d. On the subject see Lane Poole, Exchequer, 117 note and 187. I had another case of a fine paid for entering a plea of the Exchequer on the Pipe Roll, but have lost the reference.

<sup>6</sup> Angevin Empire, 328.

while the allocation of the money was materially changed, the Emperor getting the whole of the primary 100,000 marks, instead of the half, and 30,000 marks out of the extra 50,000, leaving only 20,000 marks for Leopold.<sup>1</sup> Philip, regarding the liberation as virtually accomplished, sent to John in England the celebrated message that 'the Devil was unchained'. John hastened over to France to concert measures with his friend.

On the receipt of Richard's letters in the spring the Justiciars had immediately taken steps towards raising the ransom, and had appointed a Committee to take charge of the money, namely Hubert Walter, now Elect of Canterbury, our friend Richard the Treasurer, two Earls, and the Mayor of London, the first appearance of that functionary in State affairs.<sup>2</sup> Strange to say, the legal feudal Aid to ransom the lord was not called for. From the chroniclers we learn that a call for one-fourth of their rents, that is to say a carucage or Danegeld of 5s. in the £1, from clergy and laity, along with one-fourth of their movables, was the measure adopted; parochial clergy to be let off with contributions of a tenth. But the Cistercians and Sempringham Orders were asked to part with one year's crop of their wool, their only available property. Hands were also freely laid on Church plate.<sup>3</sup> Richard himself had suggested an extensive 'borrowing' of Church plate.<sup>4</sup>

With respect to the yield of these taxes, we have seen that a Danegeld at 2s. on the hide yielded little more than £3,000.<sup>5</sup> As the heavier the tax the greater the difficulty in raising it, the Danegeld at 5s. would probably scarcely reach £7,000. As for the fourth of movables, it is impossible to suggest what such a tax might have yielded. Most likely it came to nothing. As

<sup>1</sup> Angevin Empire, 332. The treaty is given Hoveden, III. 215.

<sup>2</sup> Angevin Empire, 331.

<sup>3</sup> "*Quartam partem redditus sui . . . et tantum superdarent de mobilibus suis : . . . et de uno quoque feodo militis viginti solidos, et de abbatibus ordinis Cisterciensis, et de domibus ordinis de Sempringham totam lanam suam de hoc anno, et universum aurum et argentum ecclesiarum sicut rex in mandatis praeceperat.*" (Hoveden, III. 210, 225.) The writer was a man in public affairs; he had been Justice in Eyre more than once and this very year held a Forest Iter. See to the same effect Diceto, II. 110; R. Coggeshall, 60; Gervase, I. 519, 520.

<sup>4</sup> See the letter dated Haguenau, 19 April, Hoveden, 208.

<sup>5</sup> See above, Table III, p. 194.

these ransom taxes were to be paid to special Commissioners, nothing of them appears on the Rolls; but from the circumstance that later in the year we have a fresh carucage at 2s. on the hide, "*Pro Redemptione Regis*", together with a scutage, both of which do appear on the Rolls, it would seem that the first levies had proved insufficient to meet the ransom.

By the month of December, however, a sufficient sum on account having been delivered to the Emperor's agents in London, Henry wrote to say that he would set Richard free on the 17th January 1194, and crown him King of Burgundy and Arles—territories over which the Emperor had no control—but the grant would involve homage on Richard's part. On the 4th February Richard was fairly set free, after more than thirteen months of most unjust detention. On the 12th March he landed at Sandwich, and on the 16th of the month made a State entry into London, and was taken at once for a thanksgiving service to St. Paul's.<sup>1</sup>

Great were the rejoicings in the City. But with all the festive loyalty of the Londoners, England, as a matter of fact, was again in a state of civil war. John had kept the truce to the end of 1193; and so matters flowed on quietly till about January (1194) when it began to appear likely that, in spite of all intrigues, Richard would be set free. John then broke out afresh. He sealed a fresh treaty with Philip and sent over orders for putting his castles in order. But Hubert Walter, who had been appointed Chief Justiciar in succession to Walter of Coutances, met the situation with proper vigour.

He held a Council (10 February), passed a decree of utter forfeiture against the Earl, and called out levies to enforce the sentence. John's castles surrendered one after another. When Richard landed only Nottingham held out. On the 25th March he came to Nottingham; two days later the surrender of the place brought the whole rising to a close.

A Grand Council was now held to discuss the situation. There was the balance of the ransom to be provided for, and an expedition to Normandy to be faced. The confiscation and re-sale of offices was again the financial expedient that commended itself to Richard's mind. Gerard Camville and Hugh Bardolf

<sup>1</sup> Angevin Empire, 334.



were turned out of Lincolnshire and Yorkshire. Archbishop Geoffrey secured Yorkshire for 3,000 marks (£2,000).<sup>1</sup> A carucage of 2s. on the hide<sup>2</sup> and a scutage of £1 the knight's fee were called for; the former to meet the balance of the ransom ("*ad redemptionem domini Regis*"), as already mentioned, and the latter for the expedition to Normandy. Men prepared to go to Normandy to be excused scutage. On the Pipe Roll we have fines for being excused going to Normandy, a beginning of the notorious fines "*ne transfretent*"; otherwise "*Quietantiam scutagii per breve*".

To go on with the King's movements; on the 11th April Richard, to please his subjects, submitted to a re-coronation, as if to wipe out the stain of his bondage. The ceremony was performed at Winchester, and was followed by a fresh series of confiscations. Instead of coronation honours, we have coronation resumptions. Richard took a direct personal part in this disgraceful business. On the 12th May he left England never to return.<sup>3</sup>

The carucage was only levied in four counties during the financial year, and yielded no more than £635 5s. 10d. The scutage yielded £1,666 11s. 3d., while the total of the ransom items paid into the Exchequer amounts to £2,295 17s. 1d.

Aaron's debts still figure to some extent. The Londoners offer 1,500 marks towards the ransom, and for the King's goodwill; but fail to pay anything. The London returns include the cost of war material sent to Nottingham. Hugh of Moreville fines £100 for the Forest of "Carduil" in Cumberland; while Hawise or Isabel, Countess of Gloucester, pays in £133 6s. 8d., half into the Exchequer and half into the King's Chamber, to have her dower and marriage portion assigned.<sup>4</sup>

Of Sees in hand we seem to hear nothing. Perhaps the returns may have gone to the Commissioners for raising the ransom; nor do we have any record of circuits, except one of *Nova Placita et Novae Conventiones* held by Hubert Walter, who was active in

<sup>1</sup> Angevin Empire, 335, 336.

<sup>2</sup> Hoveden, III. 242.

<sup>3</sup> Angevin Empire, 337, 338.

<sup>4</sup> Chancellor's Roll, No. 16, 1 and 11 d. Hawise was daughter of William fitz Robert, second Earl of Gloucester; she was subsequently married to King John; see Doyle.



beating up contributions for the ransom. We also hear of a Forest Iter held by Roger of Hoveden the chronicler.

With the King's return, the sale of offices and the scutage, the revenue rises to a fair average. The Combustions are still wanting.

	£	s.	d.
Revenue without Combustions . . .	21,862	11	3

## 7 RICHARD I

(Pipe Roll, No. 41)

1194-1195. For the taxation of the year we have tallages, arrears of the scutage and hidage of the last year, compositions with 'John's men', and, above all, "*Nova Promissa*", either "*Pro redemptione Regis*" or "*Pro benevolentia*". The petty forfeitures of John's followers are numerous enough to fill a special pipe or *rotulus*. The rich harvest of "*Promissa*", a new form of *Donum*, is admitted to be due to the activity of the Justiciar-Archbishop Hubert Walter, whose position had been still further enhanced by the receipt of a Legative Commission over all England, granted by Celestine III at the request of the King.<sup>1</sup>

But under whatever name these contributions were paid, we may take it again that the proceeds passed through the Pipe Roll went into the Exchequer and not to the ransom. In fact we have £133 6s. 8d. from Newcastle marked as paid into the Chamber. Thus of the amount sent abroad we are still in ignorance. It would seem that the scutage entries include payments on account of a fresh scutage for the war in Normandy, assessed and partially raised this year, but more fully next year, as we shall see.

For Sees in hand we have half a year from York, Geoffrey having been dispossessed by Hubert Walter in July,<sup>2</sup> also returns from Lichfield, vacant for a time through the flight of Hugh of Nonant, John's chief supporter. But the strange thing is that on our next page we find him not only at home again, but employed as a Justice in Eyre.<sup>3</sup>

<sup>1</sup> Angevin Empire, 343.

<sup>2</sup> Hoveden, III. 262.

<sup>3</sup> Id. 242, 287; Angevin Empire, 336.

	<i>In thro.</i>			<i>Paid in or accounted for.</i>		
	£	s.	d.	£	s.	d.
Whitby . . . . .	33	6	8	63	6	8
York (half-year) . . . . .	299	2	4	421	11	8
Glastonbury . . . . .	270	0	0	270	0	0
Winchcombe . . . . .	33	17	10	59	15	1
Lichfield . . . . .	51	7	3	51	7	3
Coventry Priory . . . . .	11	3	4	15	0	0
	698	17	5	881	0	8

For circuits we have the unprecedented number of eight, with a fresh set of instructions, of special stringency, issued by Hubert Walter, to remedy any laxity that might have crept in during recent troubles. Special inquiries are directed after any property forfeited by John, or by his followers; so after debts due to them, or fines and compositions made with them. So again as concerning any shortcomings in keeping of promises for the ransom, and the like. Again, searches are directed after the property and effects of Jews murdered in the coronation riots,<sup>1</sup> as well as after the property and effects of those who murdered them, in accordance with a principle of which the reader has already heard. Suggested doubtless by the difficulties encountered in the collection of 'Aaron's debts' and the slow progress made, were the directions for instituting a general registration of all Jews' property. Houses, land, rents, mortgage, and other debts are all to be returned and enrolled (*imbrevientur*). Registries to be established in four of the chief commercial centres of the kingdom, each with a little staff of officials, half Christian, half Jewish; and a strong box (*arca*) for the safe-keeping of securities and documents; all advances and repayments of money to be made in the presence of one of the officials.<sup>2</sup> This Ordinance took shape, and shortly resulted in the establishment of the Exchequer of the Jews, as a branch of the Great Exchequer, with Wardens and Justices of the Jews, an office to shelter and tend them till the time for plucking should come.<sup>3</sup>

<sup>1</sup> For these see Angevin Empire, 269.

<sup>2</sup> Stubbs, Select Charters, 251-255; Hoveden, III. 262-267.

<sup>3</sup> See Charles Gross, 'Exchequer of the Jews', Papers read at the Anglo-Jewish Historical Exhibition, 1887, I. 174; Poole.

For the circuits the Justices ran as follows :

Hugh of Nonant, Bishop of Coventry, William de Vere, Bishop of Hereford, Hugh Bardolf, Simon of Pattishall, and Richard of the Peak visit Worcestershire, Gloucestershire, Warwickshire, and Salop.

Geoffrey fitz Peter, William Brewer, William of Albini, Theobald of Valognes, and Henry of Wichinton visit Notts, Derbyshire, and Leicestershire.

Roger Bigod, Ralph of Arden Archdeacon of Hereford, William Glanville, and William fitz Hervé judge Yorkshire, Northumberland, Cumberland, Westmoreland, and Lancashire.

Hubert Archbishop of Canterbury, Richard Bishop of London (the Treasurer), the Abbot of Bury St. Edmunds, Geoffrey fitz Peter, and others judge Norfolk, Suffolk, Lincolnshire, and Herefordshire.

William of St. Mary's Church, the Abbot of Malmesbury, Richard of Heriet, Ralph of Arden, and Thomas of Osborne, traverse Northants, Rutland, Wilts, Oxon, and Berks.

Gilbert Glanville Bishop of Rochester, Osbert fitz Henry, William of Albini of Belvoir traverse London and Middlesex, Surrey, and Sussex.

Archbishop Hubert, Walter fitz Robert, and others take Cambridge and Hunts.

Lastly, the Abbot of Hyde, the Archdeacon of Ely, and William of Warenne take Somerset, Dorset, and Devon in hand.

An increment of £200 is laid on Lincolnshire, while 200 marks (£133 6s. 8d.) each are laid on the farms of Gloucestershire and the linked counties of Somerset and Dorset. Sussex fines (shall we say is amerced?) £233 6s. 8d. 'for the King's good will'.<sup>1</sup> Fines "*ne transfretent*" are openly recorded; one man pays £10.<sup>2</sup> An interesting fine is that of £66 13s. 4d. paid by Hugh, the saintly Bishop of Lincoln, "*Pro exigentia mantelli*"; that is to say, to relieve his diocese from the annual render, come down from ancient days, of a cloak furred with sable.<sup>3</sup>

<sup>1</sup> Pipe Roll, 17 d.

<sup>2</sup> Id. 5 d, 11.

<sup>3</sup> Id. 12 d; Hoveden, III. 303, and notes. The King's receipt is dated Le Mans 23 June 1194. Hoveden raises the fine to 1,000 marks. Here again we get an instance of the rule that we have laid down in other works, that in

Under Shropshire, Fulk fitz Warine owes £60 for Withington Castle. Richard of Clare, Earl of Clare and Hertford, fines £373 6s. 8d. for admission to the lands of his mother, Maud St. Hilary, and one-half of the Honour of Earl Giffard. The other half had been secured by William Marshal. Simon of Apulia, a man whose appointment to the Deanery of York had been hotly disputed between Archbishop Geoffrey and the Canons of York, pays £333 6s. 8d. on account of 1,000 marks due, presumably for his final confirmation as Dean.<sup>1</sup>

For engines sent to Nottingham in the previous year we have £161 6s. 8d. paid. A considerable body of foot-soldiers is sent out to the King with 55 horse. £16 5s. 1d. are paid for their transport.<sup>2</sup> In Cambridgeshire 100 sheep fetch 50s., a good price, 10d. is a more general rate; but 15 oxen only serve for one plough and a half.

We are glad to notice a considerable clearance of the Roll, by wiping off of bad "*debets*", a welcome relief to the student, who otherwise would have to wade through piles of husk for fear of missing an ear of corn. The Roll is slightly defective, but the receipts keep up to a modest average.

	£	s.	d.
Revenue without Combustions . . .	22,632	4	8

## 8 RICHARD I

(Pipe Roll, No. 42)

1195-1196. This year we have the third scutage of the reign, at £1 the knight's fee, assessed and partly raised in the previous year for the hostilities against Philip in Normandy, as already mentioned. Mr. Hubert Hall makes two of the levy, and thus counts it as the third and fourth scutages.<sup>3</sup> Of course, we also have tallages; while the "*Promissa*" for the ransom are still being pressed, though the unpaid balance of the ransom had been remitted at the death of Leopold (30 December 1194).<sup>4</sup>

the matter of figures the statements of the best chroniclers may safely be divided by ten. See Eng. Hist. Rev. XVIII. 625 and XXIX. 221.

<sup>1</sup> Angevin Empire, 344-346.

<sup>2</sup> Pipe Roll, 14 d.

<sup>3</sup> Red Book, 10. In the margin the year is dated 1196-7 instead of 1195-6, wrongly.

<sup>4</sup> Angevin Empire, 347.

Thus the ransom becomes a mere pretext for extortion. Under the head of contributions for the ransom, Simon of Apulia is mulcted of a further £185 10s. ; and the Abbot of Fécamp pays in £276 2s. 2d. ; but that surely must have been the balance of the fine "*pro benevolentia*" of which we have already heard. The city of York contributes £133 8s. 6d. and Doncaster £22 6s. 8d. nominally for the ransom ; while a sweeping tallage of £133 6s. 8d. is laid on the city of Bristol, part of the Honour of Gloucester, but now in hand, through John's forfeiture.

With respect to the scutage, the rate was £1 the fee ; but some men appear to have been grossly overcharged, whether for leave to stay at home or otherwise. The Abbot of Abingdon, who owed 30 fees,<sup>1</sup> is charged £66 13s. 4d. ; Roger Bigod, not one of the largest landowners, pays £76 ; another man pays £2 the knight's fee, "*Ne transfretaret, et pro habendo scutagio suo*" ; while in another case 1½ marks are expressly given as the rate for staying at home. Again we have a payment of £75 15s. 5d. on 50 fees. Hubert Walter was undoubtedly a faithful servant and a very able man. But in the matter of taxation he had no more conscience than his masters, and fully deserved the unlimited confidence reposed in him. The total amount of the items marked as ransom contributions, fines, gifts, scutages, and tallages amount to £5,704 11s. 1d., nearly a third of the total revenue. As for the Sees in hand, we get Durham through the death of Bishop Puiset, who passed away 3rd March 1195.

	<i>In thro.</i>			<i>Paid in or accounted for.</i>		
	£	s.	d.	£	s.	d.
Chester, Lichfield and Coventry	72	16	4	120	6	8
Winchcombe . . . . .	8	0	0	47	0	0
Durham (three-quarter year) .	586	0	0	957	14	7
Same, under-tenants' fines, &c.	326	18	10	326	18	10
York (half-year) . . . . .	280	0	0	408	0	0
Do. further . . . . .	14	10	0	14	10	0
Do. do. . . . .	86	0	0	86	0	0
	<hr/>			<hr/>		
	1,374	5	2	1,960	10	1
	<hr/>			<hr/>		

<sup>1</sup> Feudal England, 251.



Our Judicial circuits are as follows :

Gilbert Glanville Bishop of Rochester, Osbert fitz Henry, and others visit London and Middlesex and Surrey.

William of Ste Mère Eglise (Normandy), the Abbot of Malmesbury, and others visit Northants.

Geoffrey fitz Peter and others judge Warwickshire and Leicestershire.

William de Vere Bishop of Hereford and William of Braiose (*sic*) judge Staffordshire and Gloucestershire.

Thomas of Osborne and Master Roger of Arundel visit Yorkshire.

Theobald of Valence and Master Aristotle traverse Notts and Derby.

Simon of Pattishall and Robert fitz Nigel perambulate Cambridge and Hunts.

'The Elect of Durham', Philip of Poitou, and Hugh Bardolf assess tallages in Northumberland.

Of Customs we had, for a time, a glimpse in connexion with the port at Orford. Of the Customs of the Port of London we now get a return in an account rendered by Henry of Casteillond, Chamberlain of London, for two years from Easter to Easter. The total returned amounts to £573 8s. 10d. ; the duties being spoken of as 'fines' for leave to export or import goods, or again as 'tenths', the rate apparently being £10 per cent. Specially mentioned are the duties on the export of lead, woad (*wasdia*), and furs (*grisium opus*).<sup>1</sup> At the same rate of duty we have £118 10s., being the tenth of the goods of the merchants at Yarmouth, taken by Hubert Walter. A prize ship is sold for £39 19s. 1d.<sup>2</sup> As a further branch of the Customs Revenue we now hear of the Prisage of Wines, probably a very ancient practice, being the right of taking one cask (*tonnel*) from before and one from behind the mast of each ship, to be sold for the King's benefit. Sixty casks realize £20 8s. 1d. ; and twenty casks £16 10s.

The Exchange (*Cambium*) or Mint and Exchange shows a profit of £416.

The Devon mines are farmed out for £150 ; those of Cornwall for £66 13s. 4d (100 marks).

<sup>1</sup> See the account, Pipe Roll 8, p. 1 d ; Madox, I. 774 and 775.

<sup>2</sup> Pipe Roll, 13 d.

In the matter of fines Hugh of Puiset, as one of the last acts of his life, pays in 1,000 marks (£666 13s. 4d.) on account of the 2,000 marks for the earldom and sheriffdom of Northumberland, rights that he was never allowed to enjoy;<sup>1</sup> 600 marks are still due for Sadberge, which he does retain.<sup>2</sup> The next entry is that of 200 marks (£133 6s. 8d.) paid in by Hugh Bardolf, presumably for the sheriffdom of Northumberland held by him. The Earl of Clare pays a further Relief of £215 for his mother's lands; and Gerard of Camville fines £154 19s. 5d. for leave to dispose of the hand of his daughter by Nicolaa de la Haye, hereditary Constable of Lincoln Castle. The daughter apparently was a great heiress. A Jew pays £97 as composition for his father's goods.

Considerable bodies of Welshmen are sent to Normandy, 300, 700, and 500 strong; all are arranged in twenties and hundreds, the regular English infantry formation, 180 men have 9 "*magistri*"; and again 500 men have 25 "*magistri*"; showing a "*magister*", twenty man, or vintener for each twenty; while each hundred is commanded by a mounted "*miles*" or constable. The men draw 2d., the *magistri* 6d., and the *milites* a shilling a day. In the way of cavalry, the men-at-arms draw a shilling a day, light horsemen (*servientes*), with two horses each, 6d. a day.

£60 are paid into the Chamber.

Emma 'Queen of Wales' receives £1 7s. 4d. But more curious still are the allowances of £3 6s. 9d. for a palfrey for the use of 'Kenewreccus', 'son of the King of Wales', with £1 8s. 1d. for a horse for the use of his cleric or tutor.<sup>3</sup>

With this year we get the benefit of the introduction of the very desirable reform of prefixing each sheriff's account with the statement of the amount of his farm.<sup>4</sup> Hitherto the student has had to get at this by the process of summing all the several payments accounted for, *plus* the balance left owing.

<sup>1</sup> See Angevin Empire, 338.

<sup>2</sup> On the Pipe Roll (8 Ric. I) the transaction with regard to Sadberge is spoken of as an "*excambium*".

<sup>3</sup> Madox, I. 775.

<sup>4</sup> Red Book, II. 659. Swereford gives the fact on the authority of the 'Treasurer W. of Ely'. This must be read Eustace of Ely, who became Chancellor in August 1198 if not earlier in the year. Fitz Neal died on the 10th September.

Discontent at the pressure of taxation—and unjust taxation, as was alleged—aggravated by a long continuance of dearth and want, that had affected both England and Normandy, provoked in London a movement of a democratic or social character led by one William fitz Osbert, surnamed Longbeard, a man of good civic position, who maintained that the taxes were so assessed as to throw an unfair proportion on the poorer classes, a charge that may well have had some foundation. It would seem that the establishment of the *Commune* had not made the government of the City less oligarchical than before. Fitz Osbert's harangues on the subject gained him a considerable, in fact an alarming following. He crossed the Channel to see the King and urge financial reform, a subject to which Richard gave only too ready an ear. Returning to England, Longbeard continued his inflammatory speeches in St. Paul's Churchyard. Summoned to appear before the Council, he came at the head of an armed mob. Finally he was arrested, tried, and hanged at Tyburn.<sup>1</sup>

Richard, not unnaturally, was dissatisfied with his English revenue, which had fallen so greatly, and allowed himself to be persuaded that the decay was due to malversation, and sent over Robert, Abbot of Caen, as a man of experience in the Norman Exchequer, who assured him that he could double his income for him. The sheriffs were warned to be ready for a strict investigation of accounts at the Easter Audit; but before the day came the Abbot died, and there the matter ended.

For the immediate fall in the revenue Richard himself was largely responsible; but the resources of the country were not brought into proper contribution. The hide (120 acres more or less) was only rated at £1 a year; but for the equitable taxation of personalty there was no provision whatever.

	£	s.	d.
Revenue, Combustions wanting .	19,859	5	10

<sup>1</sup> See Angevin Empire, 351, 352.

## 9 RICHARD I

(Pipe Roll, No. 43)

1196-1197. Arrears of *Promissa* and of the several scutages already imposed help to make up the slender revenue. Tallages are not wanting. In Yorkshire they are assessed by the Elect of Durham, Philip of Poitou :<sup>1</sup> we hear of them also at Colchester and in Lincolnshire and Notts.

Bishop Philip was allowed to re-establish a mint at Durham, a privilege that had been suspended for some time.<sup>2</sup>

Cecilia, Countess of Hereford (widow of Roger fitz Milo) accounts for £8 10s. scutage for the fees of the Honour of Walter of Mayenne.

The reader will excuse the scantiness of these notes, due to circumstances over which we had no control, the Pipe Rolls having been removed to places of safety for fear of damage from German air-raids before we had done with the year ; while the Chancellor's Roll is missing.

	£	s.	d.
Revenue . . . . .	17,441	0	10

## 10 RICHARD I

(Pipe Roll, No. 44)

1197-1198. The year witnessed a successful protest against the levying of scutage for serving abroad. On the 7th December (1197) Hubert Walter held a Grand Council at Oxford, and laid before the assembly a proposal that the baronage, spiritual and temporal, between them should provide the King with a force of 300 men-at-arms for one year's service abroad, an entirely novel demand. The proposal was rejected through the vehement opposition of the saintly Carthusian, Hugh of Lincoln, who declared that the Church of Lincoln owed certain military service within the limits of England, but not without them. Rather than subject his Church to such a burden as that now proposed, he would return to his cell among the hills of Burgundy. Herbert le Poer of Sarum, a man connected with the Court

<sup>1</sup> Consecrated 10th April 1197.<sup>2</sup> Hoveden, IV. 13.

circle and the official world, declared that he could only echo the words of the Bishop of Lincoln, whereupon Hubert Walter dismissed the assembly.<sup>1</sup> The demand of the Government, of course, was an absolute innovation on the *servitium debitum*, as hitherto understood. Whether the Bishop's position could be maintained, seems doubtful. The clergy had not only been paying scutage for foreign service but also heavy sums "*ne tranfretent*". No objection to such service had ever been raised before, unless the opposition of Archbishop Theobald to the exactions of Henry II for the war of Toulouse may have been partly based on that ground.<sup>2</sup>

Defeated in their application to the baronage, the Government resolved to fall back on the land, and call for a levy of hidage or Danegeld, to be taken on the footing of a new assessment, to replace that of Domesday. The scope of the plough-team, rather than the actual acreage, would be the standard of measurement; while the rate would be 5s. instead of 2s. the hide. The inquest would be held by Royal Commissioners, a cleric, and a knight, in the presence of the sheriff and chosen knights of the shires who would summon the stewards and bailiffs of the manors, with four good (*legales*) men, servile or free, and the reeve, from each township (*villa*), to appear and give evidence. The tenants would swear as to their holdings, the lords being responsible for the correctness of their statements, and bound to hold them to due payment. Tenants by Grand Serjeanty were excused, but they were bound to return their estates. Of any returns by the stewards of manors as to lands in demesne, we hear nothing; but on the contrary we are told that escheated baronies in hand would contribute (*communicaverunt*). This clearly implies that barons' demesne lands were exempt, and the exemption of Grand Serjeanties points in the same direction.<sup>3</sup> Evidence on this point is most welcome.

Financially the tax proved a failure; it met with a strenuous resistance from the clergy; counties fined to be treated gently, and others to be altogether relieved of the inquiry.<sup>4</sup> In some

<sup>1</sup> Angevin Empire, 355.

<sup>2</sup> Id. 356. Cf. Round, Feudal England, 531.

<sup>3</sup> See Hoveden, IV. 46, 47.

<sup>4</sup> Pipe Roll 1 John, 7 d. Herts and Essex, "*Ne fiat inquisitio de carruagio*". Dorset £100, "*Ut bene tractentur*".



quarters the old assessments were lowered, instead of being raised.<sup>1</sup>

Of actual payment we have for the 1st year of King John a return of the carucage from Lincolnshire summarized as follows :

	<i>Carucates.</i>	£	s.	d.
Lindsey . . . .	1,506½	225	19	6
Holland . . . .	327	49	1	0
Kesteven . . . .	262	39	6	0
	<u>2,095½</u>	<u>314</u>	<u>6</u>	<u>6<sup>2</sup></u>

The farm of Lincoln was £976 11s. 1d. ; the carucage of £314 6s. 6d. may be taken as roughly one-third of that farm. The total of the farms without the towns might now be taken at £12,000. The carucage therefore might have yielded some £4,000, not so much as the assessment of Danegeld, naturally a disappointment to the Government.

Of the yield of the Customs and Prises of Wines in the Port of London we have an account for two more years, presented by Gervase of Aldermanbury. Tenths from merchants for sundry goods yield £18 6s. 6d. ' Fines ' for the import of woad amount to £71 13s. 9d. ; dues for the export of wool and leather bring in £23 12s., and the Prisage of Wines £33 11s. We have also considerable sums for goods seized, either as belonging to enemies—as £3 13s. 4d. for silk taken from Flemings—or from subjects, presumably for attempts at smuggling, as £13 14s. 4d. for corn taken from the men of Rye, or £140 for 45 sacks of wool seized at Hull, and sold. This seems to show a rate of £3 3s. 2½d. per sack. This seems our earliest notice of the price of wool.<sup>3</sup>

In connexion with fines we may notice a most disgraceful act, the breaking of the Great Seal, and the production of a new Seal, to enable the King to call in all charters sealed with the old Seal for fresh attestation, on payment, of course, of fresh fines. The excuse given for questioning the validity of the charters under the old Seal was that it had been out of the King's control on

<sup>1</sup> See cases picked out of the *Testa de Nevill* by Round, Eng. Hist. Rev. III. 502, 508.

<sup>2</sup> Exchequer K. R. Lay Subsidies, 242/113.

<sup>3</sup> Madox, I. 776.

two occasions. The first was in April 1191, when the Vice-Chancellor or Keeper of the Seal, Roger "*Malus Catulus*" (Machel), was wrecked on the coast of Cyprus. The body was recovered with the Seal hanging round the neck. But it was alleged to have been 'lost' (*perditum*) till it was delivered to the King again. The second occasion when the Seal was out of his control was when he was a prisoner in Germany.<sup>1</sup>

Our year closes with the death of our friend Nigel fitz Neal of the *Dialogus*. He passed away on the 10th September (1198); and our Roll is the last of the reign. Richard died on the 6th April 1199; and the next Roll will fall to his brother's reign, just as the split Roll between the reigns of Henry II and Richard I went to Richard's account.

	£	s.	d.
Revenue . . . . .	22,029	8	6

The reign calls for little special review. It might best be described as a continuation of the previous reign. The financial system was the same, and all the sources of revenue the same. Apart from the three years of confusion caused by John's ungrateful rebellion, our Table shows revenues fairly on a level with those of Henry II. The sources of revenue, namely, the landed returns, the impounded Sees, the fines and amercements, the tallages and scutages, are the same. The illustrations that we have given of the yield of these for the one reign might serve for the same in the other reign. A detailed analysis of the revenues of a year of Richard's reign would not repay the trouble. The only new tax attempted, the enhanced Danegeld of 1198, proved a failure. With the appearance of returns from the Customs in the last few years we get a foreshadowing of expansion in the future.

Of Richard's personal intervention in the matter of finance it is impossible to speak too strongly. He begins with wanton alienations of Crown property; he then proceeds still further to cripple the future by selling sheriffdoms and other offices to the highest bidder, thus opening a wide door to official malversation. When the day of need comes, confiscation and re-sale are again the only expedients.

With regard to the obscure question of the ransom, namely as to how much of it was paid, or how much paid by England,

<sup>1</sup> Round, *Feudal England*, 542; *Angevin Empire*, 291, 358.

for absolute lack of evidence we can offer no opinion. The only actual payment to the Emperor on record is one of £4,000, entered on the Norman Roll for 1185, the money having come from England. Presumably the contributions from abroad would exceed those from home, as the Norman revenue of the time exceeded the English revenue. Caen can pay £2,700 9s. 6d.; and the city and *vicomté* of Rouen about £2,500, when London only promises a *Donum* of £1,000.<sup>1</sup>

No change was made in the currency. All coins struck in the reign bear the name of Henry, and conform to the type of the coinage of 1180.<sup>2</sup>

In 1197 Hubert Walter made an attempt to establish a uniform system of weights and measures for all England; but local custom proved too strong, and the Ordinance had to be withdrawn.<sup>3</sup> For comparison of the returns of the English and the Norman Treasuries we have added up the revenue shown by the Norman Roll for the year 1198. The amount, £98,193 Angevin, at the established rate of £12 Angevin as equivalent to £3 8s. 6d. sterling,<sup>4</sup> comes out as £28,094 2s. 2d. The English revenue for the corresponding year was £22,029 8s. 6d.

During the reign three scutages appear to have been called for, besides the illegal fines *ne transfretent*; namely, one of 10s. in 1190 for an expedition into Wales; one of £1 in 1194 for the ransom; and another of £1 in 1196 for the war in Normandy. The last brought in £1,666 11s. 3d.

#### TABLE VIII. REVENUES OF RICHARD I

From the Pipe Rolls. The Chancellor's Rolls being wanting, the Combustions cannot be given.

<i>Regnal year.</i>	<i>A. D.</i>	<i>Paid in or accounted for.</i>		
		<i>£</i>	<i>s.</i>	<i>d.</i>
1	1188-1189	23,648	1	2
2	1189-1190	27,693	9	7
3	1190-1191	13,967	18	11½
4	1191-1192	10,363	8	3½
5	1192-1193	10,009	12	8
6	1193-1194	21,862	11	3
7	1194-1195	22,632	4	8
8	1195-1196	19,859	5	10
9	1196-1197	17,441	0	10
10	1197-1198	22,029	8	6

<sup>1</sup> Angevin Empire, 371; Rot. Norm. I. 136 (Stapleton).

<sup>2</sup> Hawkins, Silver Coins, 190, 191.

<sup>3</sup> Hoveden, IV.

<sup>4</sup> Pipe Roll 24 Hen. II, p. 128.

## JOHN

*Born 24th December 1167; crowned King 27th May  
1199; died 19th October 1216*

### II RICHARD I—I JOHN

(Pipe Roll, No. 45)

1198-1199. The reader has been warned that with the extension of this work beyond the death of Richard I, the point originally contemplated, a more summary treatment has become necessary.<sup>1</sup> We cannot continue to analyse the manuscript Pipe Rolls. The printed Rolls ended with the accession of Richard I. We still hope to deal adequately with the taxation of the country, but for the yearly returns of the revenue, till we come to the Pell Rolls under Henry III, we can only give the totals of selected years, offering estimates for the intermediate years. The totals taken from the Rolls will be given as such, and here we must at once acknowledge our immense obligations to the "Studies in Taxation under John and Henry III" of Professor Sidney Knox Mitchell of Yale College, supplying the fullest information from the Pipe Rolls and other records.

On the 6th April 1199 Richard I passed away. On Sunday 25th April John, who was in Normandy at the time, was invested with the Ducal Cap, and girt with the sword of Normandy, at Rouen. According to modern ideas of representation, John was not the heir; Arthur of Brittany, son of John's elder brother Geoffrey, was the heir both to England and Normandy. But he was unknown outside Brittany. John had not done much to make himself popular or respected; but he had large estates on either side of the water; Richard had finally declared in his favour, and thereby secured for him the support of the ruling officials with Hubert Walter, Geoffrey fitz Peter, and William Marshal at their head. To these men and to the energy and devotion of his mother, John owed his Crown. Losing no time, he hastened to England. On the 25th May he landed at Shoreham,

<sup>1</sup> See Preface.

and, passing on to London, was crowned in Westminster Abbey by Archbishop Hubert Walter on the 27th May, being Ascension Day.<sup>1</sup> Less than a month sufficed for such business as John cared to transact in England. On the 20th or 25th of June he crossed from Shoreham to Dieppe. England and France at the time were under a truce. But their relations were strained, and at the expiration of the armistice (25 August), hostilities of the usual desultory character ensued.<sup>2</sup> The call for a scutage therefore, as the first financial demand of the reign, was quite justifiable, but the rate was raised from £1 to 2 marks, £1 6s. 8d. the knight's fee. Under Henry II we had a system of balancing a legal scutage by an illegal tallage on persons not liable for military service. John follows his father's example and lays a sweeping tallage of £3,666 13s. 4d. on<sup>3</sup> the cities and demesnes. But he goes further, and in addition to the scutage imposes fines *ne transfretent* on men who had cleared their liability to service by the payment of legal scutage. With respect to the scutage system the reader may be reminded that while the lord was responsible for the scutages, and accounted for them at the Exchequer, the under-tenant, who held his fee on the condition of either doing service in person, or paying the scutage, according as the King should decide, found the money.

The scutage was badly paid, the Government having only just got under way. On the Pipe Roll the sum only amounts to £2,263, omitting shillings and pence. Our last yielded £1,666 11s. 3d. But part of it had gone to the account of the ransom. For the miscellaneous revenue we have arrears of the scutages of the late reign, and fines or compositions for exemption from the abortive carucage of 1198; with *Promissa* for Richard's ransom, and the usual fines and amercements. The lands of the Countess of Brittany (Constance, mother of Arthur) are in hand; Philip, the new Bishop of Durham, fines £333 13s. 4d. for a confirmation of Sadberge as an addition to the diocesan revenues acquired by his predecessor Puiset.

<sup>1</sup> The regnal years of other English Kings are made to begin on the day of the month on which they began to reign, but John's years are made to begin on the Ascension Day of each year, leading to great confusion and difficulty in dating charters; Foss, *Judges*, II. 1.

<sup>2</sup> Angevin Empire, 379-384.

<sup>3</sup> S. K. Mitchell, *Studies in Taxation*, 31.



Among the sundry receipts of the year we find the £314 6s. 6d. from Lincolnshire, already noticed, being the contribution of the county to the carucage of the previous year. Hitherto we have endeavoured to give the totals of the Combustions as paid into the Exchequer. But now, considering the insignificance of the amount and the trouble of getting at it, we shall trouble ourselves no more about them.

For the revenue the Pipe Roll gives us the handsome return of £30,021 12s. 8d.

## 2 JOHN

(Pipe Roll, No. 46)

1199-1200. About the 27th of February (1200) the King came back to England, and was found at Westminster from the 6th to the 8th of March.

Recent arrangements with France had stipulated for the payment of 20,000 marks (£13,333 6s. 8d.) as *Rachat* or Relief for John's admission as heir to Richard's possessions in France, including the Norman Vexin, now apparently abandoned by Philip.<sup>1</sup> To raise the *Rachat* a carucate of 3s. on the hide was called for, and apparently on the new assessment introduced in 1198, based not on reputed or assessed hides, which might contain more than 120 acres, but on the actual land under cultivation.<sup>2</sup> In this connexion we note the fact that whereas formerly Danegeld was accounted for by the sheriffs, we now have it raised by special commissioners, in consequence whereof the returns no longer appear on the Rolls. The collectors are given as William of Rotham and his fellows.<sup>3</sup> We may suggest that the sheriffs had taken advantage of the disturbance caused by the introduction of the new assessment to get themselves relieved of the burden of collection. The tax, like that of 1198, met with strenuous opposition. The Archbishop of York refused

<sup>1</sup> Angevin Empire, 384, 385; Sismondi, France, VI. 189. The Vexin was the borderland of Normandy and France, being the territory of the old Velocasses.

<sup>2</sup> "*Ut quaelibet carruca arans tres persolveret solidos*"; R. Coggeshall 101; R. Hoveden, IV. 107. For assessed hides see Round, Feudal England, 65.

<sup>3</sup> Chancellor's Rolls, cited Mitchell.

to allow his lands to be assessed. "His refusal availed nothing, for the King disseized him." The counties largely compounded for exemption. But no return of the total yield seems to have come down to us.<sup>1</sup>

About the 1st May 1200 John crossed to Normandy, and forthwith executed the treaty of Le Goulet, ratifying arrangements previously made, among which Philip's son Louis, not thirteen years old, would marry John's niece, little Blanche of Castile. John did homage to Philip (22 May), while Arthur was produced to do homage to John for Brittany, being taken back to Paris as soon as the ceremony had been performed. Again the King of England could boast of a territory stretching from the Channel to the Pyrenees. The treaty executed, and the wedding over, John started on a progress to the far South, to raise up fresh enemies and create more trouble for himself. He had procured a divorce from his wife Hawise or Isabel of Gloucester, married in 1189, who had borne him no son. At the time the King was expecting an answer to an application for the hand of the sister of the King of Portugal, of whom he had heard great reports. But, without waiting for the return of his ambassadors, on reaching Angoulême, in the course of his Aquitainian tour, he fell violently in love with Isabel, the beautiful daughter of Count Ademar of Angoulême. She had been formally betrothed to Hugh Le Brun the younger, of Lusignan, but the marriage had not yet been celebrated, the girl being only about twelve years old. Ademar, allured by the offer of a Crown, removed his daughter from the custody of her betrothed, and gave her over to John, who married her forthwith at Angoulême, without even communicating with his ambassadors in Portugal. By this rash act John had earned all the hostility of the warlike and ambitious House of Lusignan.

John hastened home for the coronation of his bride. On Sunday 8th October (1200) she was hallowed at Westminster by Archbishop Hubert.<sup>2</sup>

For the 2nd year we can again only suggest a revenue of £24,000.

<sup>1</sup> S. K. Mitchell, *Studies in Taxation under John and Henry III*, 33, 34.

<sup>2</sup> See Angevin Empire, 386, 387. At the head of the Lusignan family was Amauri, King of Cyprus.

## 3 JOHN

(Pipe Roll, No. 47)

1200-1201. John's abduction of Isabel was in itself a sufficient challenge to the Lusignans. A wiser man than he would have sought to avert any further breach with the family. John, on the contrary, adding injury to insult, began wantonly to attack them; he had seized some of their castles in Poitou, and was declaring war on Ralph of Exoudun, brother of the elder Le Brun and Count of Eu by marriage. In view of these affairs John on the 1st May (1201) issued writs summoning the military tenants to be ready at Portsmouth on the 13th for an expedition to Normandy. The barons demurred, presumably refusing to serve abroad; but the grounds of their objection are not stated. John met them by seizing hostages, and calling for a scutage of two marks on the knight's fee *plus* fines for being allowed to pay instead of serving in person, thus completely turning the tables on them.<sup>1</sup> The yield of the double tax of scutage *plus* fines *ne transfretent* within the year, as we make it, came to £3,634 os. 6d., or, as Professor Mitchell has it, 5,321 marks 10s. 5d.,<sup>2</sup> making £3,547 6s. 3d. sterling, quite a satisfactory agreement with our own figure.

We have taken advantage of the Chancellor's Roll, the duplicate of the Pipe Roll, of the year (3 John) being in print,<sup>3</sup> to take out a full analysis of the revenue. The total comes to £24,719 13s. without the Combustions, which for once we have. The sum is higher than the average of Henry II's reign, and greatly above that of Richard's time. Professor Mitchell gives a somewhat higher total, viz. 39,000 marks or £26,000, accounted for thus:

	Marks.
County farms and increments (about) . . . . .	17,000
Town farms, fines, escheats, &c. (sums paid) . . . . .	22,000
Total . . . . .	39,000

<sup>1</sup> Hoveden, IV. 160-164; Diceto, II. 172.

<sup>2</sup> Studies, &c., 36. The learned Professor gives himself the trouble of converting sums paid in in £ s. d. into marks, to give the reader the trouble of reconvertng the marks into £ s. d. Assessments were given in marks, but never payments.

<sup>3</sup> Record Commission, 1833.

Leaving out the sums paid for scutage and fines *ne transfretent* (£3,634), our total of £24,780 comes down to £21,146, and that in round numbers may be taken as representing the normal revenue of the time apart from extraordinary taxation.

Looking at our Table, the points of course that strike the eye are the swelling of the fines and the dwindling of the County and Borough farms. These under our first head only yield £7,280 15s. 10d., or with the £1,652 of the cognate No. 2 head, together, £8,932 16s. 11d. In the 33rd of Henry II we had £15,120 16s. 1d. under this double head.<sup>1</sup> Now the fines produce £8,681 3s. 8d., without the *ne transfretent* exactions within £300 of the entire landed returns. In the 33rd of Henry II the fines only came to £1,219 19s. 4d. Frequent entries of fines assessed *Coram Rege* show the personal interest taken by John in these oppressive dealings with his subjects. Like Henry I, he seems to have put his faith in taxing the big men, rather than the community at large.

With respect to the fines *ne transfretent*, we have not attempted to distinguish between the amounts paid under that head and the amounts paid for legal scutage, the payments being generally lumped, and assessed in the most irregular and arbitrary manner. On one page Asceline of Abbindon pays £2 for one fee; Robert Picot pays £3 6s. 8d. for the same service due, while William "*De Sculariis*" is only charged £26 13s. 4d. for fifteen fees, the scutage for which would be £20.<sup>2</sup>

Returning to our Table it will be seen that the yield under "Amercements" and "Tallages" is very moderate.

The fall in the County farms is easily explained. It was simply due to the lavish alienations of Crown lands indulged in by Richard. In the 32nd of Henry II the *Terrae Datae* stood at £3,372. Now they have risen to £6,816 11s. 10d., more than double.

Under the head of "Sees in hand", so standing a resource under Henry II and Richard, we have only one See, Lincoln, contributing, that being vacant through the death of St. Hugh (17 November 1200). If the revenues of York were confiscated by the King, as alleged by the chroniclers, the returns were not paid into the Receipt of the Exchequer.

<sup>1</sup> See Table V to the reign.

<sup>2</sup> Pipe Roll, 143.



The mines of Cumberland (No. 2 head) only yield £25 17s. 8d.; the tin of Cornwall and Devon contributes £714 4s. 6d.

Our "Sundries" include £886 12s. 2d., two years' farm of the *Cambium* or Mint and Exchange rendered by Hugh Oysel; while of the mortgage debts due to Aaron of York, £228 18s. can still be squeezed out of the reluctant pockets of the mortgagers.

As a fresh sample of the sums that could be offered as fines, and the treatment that the men offering them could receive, we may take the case of William de Stuteville who offers £1,000 for the sheriffdom of Yorkshire (£533 6s. 8d. paid down), to be turned out of office at the next Michaelmas.<sup>1</sup>

An entry on the Patent Rolls shows that a tallage assessed by four legal knights had been levied in the Channel Islands.<sup>2</sup> Of course, nothing of this appears on the Pipe Rolls.

On the 5th May (1201) Pope Innocent III issued a Pastoral Letter pressing the fulfilment of Crusading vows and calling for a Fortieth of Church revenues for help to Holy Land.<sup>3</sup> Clergy paid it on their spiritualities and temporalities, the bishops having charge of the collection. The King granted a Fortieth of the returns from his demesnes and lands in hand, and invited barons, knights, and freemen to do the same. Each man would assess himself, the money to be collected by legal men appointed by the sheriff.<sup>4</sup>

TABLE IX. REVENUES OF 3 JOHN

(From the Chancellor's Roll)

	£	s.	d.
(1) County and Borough farms with increments and Honours in hand	7,280	15	10
(2) Minor receipts from land, small escheats, purprestures, mines, sales of wood, pannage of hogs, &c.	1,652	1	1
(3) Fines including <i>Oblata et Conventiones</i> , Reliefs, and Wardships, but not fines " <i>ne transfretent</i> "	8,681	3	8
(4) Amercements	728	4	0
(5) Tallages, including <i>Dona</i> and <i>Promissa</i>	414	10	1
(6) Scutages together with fines " <i>ne transfretent</i> "	3,634	0	6
(7) See in hand (Lincoln and Archdeaconry)	809	3	8
(8) Sundry	1,519	14	2
Combustions	62	6	11
	24,781	19	11

<sup>1</sup> See List of Sheriffs, Record Office Publication.<sup>2</sup> Mitchell, 45.<sup>3</sup> See the letter, Hoveden, IV. 165.<sup>4</sup> Id. 187, 188; for the orders for collection issued by the Chief Justiciar Geoffrey fitz Peter see Mitchell, 46.



## 4 JOHN

(Pipe Roll, No. 48)

1201-1202. With the year 1202 affairs in Normandy entered on a new stage, John persisting in his attacks on the Lusignans. For help and redress they appealed to the Lord Paramount Philip. He summoned John, as a vassal of France, to appear in Paris before his lord's Court to answer certain charges brought against him. In vain John protested that the Dukes of Normandy owed no suit to the Courts of the King of France, and that they had always met as equals on the frontier. On the 28th April (1202) a formal citation was served upon John. He failed to appear, whereupon the Court declared all his fees forfeited for breach of feudal duties.<sup>1</sup> Philip confirmed the finding of the Court, and, to put it in force, entered Normandy, sweeping victoriously through the Vexin and Bray. John offered no effectual resistance till stirred to spasmodic action by a sudden attack by the Lusignans and young Arthur of Brittany on Queen Eleanor, who was living with a slender garrison at the castle of Mirebeau (Vienne). By a forced march of 100 miles from Le Mans in the early hours of the 1st August, John fell on the besieging force established within the baileys or out-works of Mirebeau, catching them like rats in a trap. Among the prisoners taken was the unfortunate Arthur.

With a struggle for the possession of Normandy, the call for a scutage could not be resisted. The rate was again two marks (£1 6s. 8d.) the knight's fee. The writs must have been issued late in the year, as the full amount does not appear on the Pipe Roll of the year; but the totals appearing between the Rolls of the 4th and 5th years for scutage and fines *ne transfretent*, according to Professor Mitchell, amount to 4,418 marks, or £2,945 6s. 8d.;<sup>2</sup> £689 less than the sum that we found for the year before. In general the assessments are so arbitrary and

<sup>1</sup> See Angevin Empire, 393, note. It seems clear that there was a trial and a condemnation, the question remaining as to the legal effect of the condemnation. Miss Norgate rejects all condemnations; Transactions Royal Historical Society, N.S. XIV. 53.

<sup>2</sup> Studies, 48. He gives the number of fees taxed as "not over 2,100". I have already pointed out that total as practically the number available for taxation.

irregular that it is impossible to say how much was scutage and how much fine. Thus we find one man paying £13 6s. 8d. on one knight's fee, while another man pays only £80 on 60 fees. So it goes on, the lesser tenants paying the heavier fees, with an average over six marks (£4) per fee.<sup>1</sup>

A novel entry is that of the Earl of Leicester, whose chattels are distrained for £7 5s. and again for £3, towards "*Auxilium Vice-comitis*", a subvention to the sheriff in aid of his farm, which we note for the first time.<sup>2</sup> Hugh of Morville having passed away, William Brewer offers 500 marks (£333 6s. 8d.) for the hand of the daughter and heiress.<sup>3</sup> Most singular are the petty offerings of £2 5s. 6d. and £4 3s. 3d. and £9 4s. 6d. given by counties towards the Papal Fortieth for Holy Land. These must have been collected by the sheriffs.

John de Gray, Bishop of Norwich, appears as Treasurer (5 John), in succession to William of Ely.

Altogether, allowing for deficiency in the scutages, we might fairly allow £24,000 for the revenue of the 4th year of King John.

## 5 JOHN

(Pipe Roll, No. 49)

1202-1203. During the autumn and winter of 1202-1203 John kept abroad, moving through Anjou, Maine, and Normandy to keep Philip in check. But the ground was slipping from under his feet. His allies were falling away, while his enemies were mustering their forces. The Bretons held a provincial assembly of clergy and barons to demand Arthur's release. John, to make safe of him, removed him from Falaise and the humane keeping of Hubert de Burgh, to Rouen, to have him in his own keeping. Shortly after Easter 1203 ghastly rumours began to run both abroad and in England. Arthur was no more, murdered, and, as men said, murdered by the very hand of his uncle. The exact circumstances attending Arthur's death must remain in doubt. This much is beyond question, viz. that while Arthur was under his uncle's keeping, at or near Rouen, he suddenly vanished, never to reappear. The night of the 2nd-3rd April is suggested

<sup>1</sup> Studies, 49.

<sup>2</sup> Pipe Roll 4 John, pp. 3 and 13.

<sup>3</sup> Pipe Roll.

as the date of the deed, Arthur being stabbed and thrown into the Seine.<sup>1</sup>

John was again summoned to appear before Philip's Court ; and again made default ; but it seems doubtful whether Philip ventured to charge the King with the actual murder of Arthur. John having offered no satisfaction, hostilities were resumed, all in favour of the French. Norman feudatories kept falling away, while John for the most part remained idle at or near Rouen.

The taxation of the year was novel and important, marking the dawn of a new era, namely, the more regular taxation of personal property. The attempt to extend the taxation of land by way of increased hidage or carucage (the old Danegeld) having failed, recourse had to be had to further taxation on movables or personalty. The measure was probably suggested by Hubert Walter, whose name is specially connected with the raising of the tax.

In the first place, another scutage, at two marks the knight's fee, with the illegal fines *ne transfretent*, was levied ; the yield as found by Professor Mitchell came to 4,748 marks or £3,165 6s. 8d.<sup>2</sup> That was followed by a levy of the enormous tax of one-seventh of the barons' movables, the exaction extending even to monastic Houses and parochial clergy.<sup>3</sup> The tax was being levied in June and July (1203).<sup>4</sup> An entry on the Pipe Roll of the following year suggests that the Seventh had been granted by the baronage and legally assessed.<sup>5</sup> The collection from the clergy was under the direction of the Archbishop of Canterbury ; that from the laity under the direction of the Chief Justiciar, Geoffrey fitz Peter. Tallages also to an increased extent were levied. Thirteen counties were assessed by the Justices in Eyre to an amount exceeding £1,500, while Houses of Religion paid £1,051 under the usual euphuisms of *Dona* or *Auxilia*. The returns from the Seventh do not figure in the

<sup>1</sup> Angevin Empire, 396, 397.

<sup>2</sup> Studies, 55.

<sup>3</sup> R. Wendover, III. 173 (ed. Coxe) ; cf. R. Coggeshall 144.

<sup>4</sup> See the extracts from the *Liberate* Roll of the 18th June and 10th July directing Geoffrey fitz Peter to remit their Sevenths to the Count of Aumale and William Marshall ; Studies, 62.

<sup>5</sup> "*In septima data regi per assisam, 77/2*" : Pipe Roll 6 John ; Mitchell, Studies, 63 note.

returns of the year's revenue on the Pipe Roll ; nor is there any other official record of the yield of the tax ; but in the 9th year we shall find a Thirteenth of movables from clergy and laity yielding £57,421 11s. 5d. The Seventh should yield double, say in round numbers £114,000. But perhaps, considering that the highest rates of taxation are the least productive, we might be content with £110,000 and the total year's revenue will stand thus :

	£
Normal returns, say . . . .	24,000
Seventh of movables, say . . . .	110,000
	<hr/>
	134,000
	<hr/>

## 6 JOHN

(Pipe Roll, No. 50)

1203-1204. By December 1203 John had begun to realize that without support from England all Normandy would be lost. On the 5th or 6th of the month he came home, crossing from Barfleur to Portsmouth. The King's wants were felt to be such that at a Grand Council held at Oxford on the 2nd January 1204 a fifth scutage of two marks the knight's fee was voted. The yield as added up by Professor Mitchell comes to 5,291 marks or £3,527 6s. 8d. Once more the call for the legal scutage was balanced by a tallage on those not liable for military service, and the amount came to much the same as the scutage, namely £3,333 6s. 8d.<sup>1</sup>

During the autumn, while John, in childish self-confidence, had been resting idly at or near Rouen, Philip was pressing vigorously the formidable fortifications at Les Andelys on the Seine, crowned by Richard's pride, his vaunted "*Château Gaillard*". Even after the grant of the scutage, in spite of frantic appeals for men and money addressed to all and sundry, we fail to trace the smallest force set on foot for the relief of Roger de Lacy at Château Gaillard. On the 6th of March he was finally overpowered.<sup>2</sup>

This reverse justified a further call on the pockets of the lieges ;

<sup>1</sup> Mitchell, 65, 68.

<sup>2</sup> See details, Angevin Empire, 398-400.



and another novel impost was inaugurated in the shape of a call for a Fifteenth of merchants' goods, as if to balance the Seventh on barons' movables of the previous year. The tax was to be assessed and levied under the general supervision of three men appointed by the King. Under their supervision in each township six or more men—to include a knight and a clerk—were to be chosen to assess and collect the impost. Here the co-operation of collectors elected locally should be noted. The Pipe Roll of the year gives the yield as £4,958 7s. 3½*d.*<sup>1</sup> Tallages also to an amount exceeding £3,300 were also exacted. Again we may point out that the Twentieth of this year and the Seventh of the previous year between them mark an important era in the history of our national finances. They may be considered the forerunners of the Subsidies, the Fifteenths and Tenths and the like destined from this time onwards to become the standing resource of the Government in time of need. The credit of the measure should be divided between Hubert Walter and the Treasurer John Gray, Bishop of Norwich.

Throughout the spring and summer of 1204 Philip continued to press his victorious career in Normandy. Domfront and Caen yielded without a struggle. Bayeux, Coutances, Cherbourg, and Barfleur followed suit. On the 24th of June Rouen 'the unconquered city' opened its gates, and Rolf's fair duchy, wrung three centuries before from the weakness of Charles the Simple, again became part of the demesne of France. But the tide of French conquest did not spend itself in Normandy. Maine, Anjou, and Touraine were already won, all but Chinon and Loches. On the 10th August Poitiers surrendered to Philip. By the close of the autumn (1204) Niort, Thouars, and La Rochelle were the only places in Poitou remaining to John. Beyond the Dordogne the wine-trade and the instincts of the Gascon lords declared in favour of English suzerainty. Balance of power was pre-eminently a feudal doctrine.<sup>2</sup>

Of the Customs of the year we get an interesting account on the Pipe Roll, showing that the general rate of duty was a Fifteenth, or £7½ per cent., instead of £10 per cent. as seemed to be current under Richard. The yield for some twenty-nine months from thirty-two ports, mostly on the East coast, and

<sup>1</sup> Mitchell, 69, from Madox.

<sup>2</sup> Angevin Empire, 402, 403.



without Bristol, amounts to £4,958 7s. 3d. That would represent something over £2,000 a year additional for our normal income. The four chief contributors were: London returning £836; Boston, £730; Southampton, £712; and Lynn, £651.<sup>1</sup>

For our revenue therefore with scutages of £3,527 6s. 8d., Fifteenth of £4,958 7s. 3½d., tallages to the tune of £3,300, and the bonus from the Customs, we may allow £42,000.

## 7 JOHN

(Pipe Roll, No. 51)

1204-1205. Early in 1205 rumours of impending invasion became rife in England. On the 3rd April 1205 writs were issued requiring the military tenants to provide forces for the defence of the realm, on the footing of one fully equipped man-at-arms being provided by every ten knights' fees. The men were directed to muster in London, three weeks after Easter, to await orders, and again, 'for the defence of the realm'. The writs refer to the previous consent of the magnates, presumably granted in some unrecorded Grand Council. But we do hear of a Grand Council held at Northampton (21-25 May), where some change of plan may have been agreed to, as from Northampton the King went to Porchester (31 May), as if to muster an army for service abroad. But the proposal to take the force oversea again met with a strenuous resistance from the barons, headed by Hubert Walter and William Marshal, who laid stress on the risky and impracticable character of the enterprise. The project came to nothing.

John, however, was allowed to send out detachments under a natural son Geoffrey, and William Longespee, Earl of Salisbury, for the relief of La Rochelle. He himself, as if to shame his subjects, put out to sea about the 12th June to beat about the coast for three days, and then returned to land at Studland on the Dorsetshire coast. But for want of succour by the end of the month (June) Loches and Chinon had been stormed; and Robert of Turnham and Hubert de Burgh were prisoners in Philip's hands.<sup>2</sup>

<sup>1</sup> Pipe Roll, 16, cited Madox, I. 772.

<sup>2</sup> Angevin Empire, 404, 405.

A fortnight later Hubert Walter, the able administrator, the faithful servant of three successive kings, who at one time had filled the unique post of Archbishop-Justiciar, and still stood as Archbishop-Chancellor, passed away at his manor of Teynham in Kent (13th July). The legal measures and the improvements and reforms in the working of the Chancery and Treasury that mark the period during which he held office will be pointed out below.

Hubert's death, involving the usual struggle over the appointment of a Primate, brought on the crisis of John's reign by involving him in a trial of strength with the mightiest of Pontiffs, the "ambitious young priest", who could raise or depose Kings and Emperors at will, or deprive nations for months or years of the exercise of public worship for the offences of their ruler, Lothario dei Conti, otherwise Innocent III.<sup>1</sup>

At successive vacancies in the Primacy the Canterbury monks had striven to give substantial effect to the form of canonical election introduced by the Conqueror; while the suffragan bishops, encouraged by Henry II, claimed a vague right of concurrence. At Hubert's death a party of the monks, without waiting for any Royal writ, held secret meetings and agreed upon the Sub-prior Reginald, who started at once for Rome in quest of confirmation. The bishops at once appealed to Innocent in support of their supposed right of intervention. Meanwhile the monks, getting alarmed, offered to drop Reginald and hold a fresh election. John gave a willing assent, and named the Treasurer, John de Gray, Bishop of Norwich. Gray was forthwith instituted and invested with the temporalities, a further embassy on his behalf being accredited to the Vatican. In this tangled web of conflicting pretensions, with all the parties before him, the situation rested wholly in the hands of Innocent.

Of course, a scutage had been raised for the abortive expedition to Normandy, at the same rate of £1 6s. 8d. the knight's fee, with the usual fines *ne transfretent*. Comparatively few exemptions were granted, and the yield came to the large sum of £4,941 6s. 8d. The concomitant tallages produced over £2,000.<sup>2</sup>

<sup>1</sup> Gibbon, *Decline and Fall*, VI, 639 (ed. Bury).

<sup>2</sup> In marks 7,412; Mitchell, 71, 77. He gives the number of fees taxed as nearly 4,000.

A fresh source of income dating from this year we get in a further charge laid on the sheriffs. The County farms hitherto had stood as they were at the close of Richard's reign, and in fact as they had been arranged by Henry II. They were based on old valuations of Crown property, probably much under value, as the value of land had risen. We have seen the large sums paid to Richard for shrievalties. To bring the farms up to proper value, increments had been imposed from time to time, without bringing in much money. John endeavoured to meet the evil by calling on the sheriffs to account for the increased value of the subjects farmed to them under the name of *proficuum*.<sup>1</sup> On our Roll it stands for 2,000 marks or £1,333 6s. 8d. With this addition and an allowance for the Customs of which we have heard, we cannot suggest a revenue less than £30,000.

Professor Mitchell has for the year, with the *proficuum*, a total of 39,000 marks or £26,000, the same total that he found for the third year.

## 8 JOHN

(Pipe Roll, No. 52)

1205-1206. John was not so engrossed with the Canterbury question as to forget his lost foreign dominions. Having, as we may suppose, come to terms with his barons, he was able in May (1206) to muster a considerable force at Portsmouth. On the 1st June he was at Yarmouth in the Isle of Wight, preparing to sail: on the 8th he signs at La Rochelle.

In Aquitaine we hear that John was well received. But his great achievement in that quarter was the reduction of Bourg on the Gironde, which had become the head-quarters of Philip's partisans. In September he pushed through Poitou to the Loire, and on into Anjou and Brittany; but at Philip's approach fell back on Thouars. But no battle came off. Instead, a truce for two years was signed on the 13th October, John disclaiming any allegiance north of the Loire.<sup>2</sup> For the rest of the autumn he returned to La Rochelle.

With respect to the year's revenue accounted for at Michaelmas, a seventh scutage had been raised at the reduced rate

<sup>1</sup> See G. J. Turner, *Minority of Henry III*, Royal Hist. Soc., N.S. XVIII. 289.

<sup>2</sup> See Angevin Empire, 409, 410.

of £1 the knight's fee, but with the usual illegal fines. The two together yielded £2,065 6s. 8d.<sup>1</sup> To balance the reduced scutage, tallages to the amount of 4,000 marks or £2,666 13s. 4d. were raised.

Two days after Hubert Walter's death John had hastened to Canterbury to look after the Archbishop's effects, with the result that on the Pipe Roll of this year under Sees in hand we have a return from Canterbury of the enormous sum of £5,169 19s. 5d. Lincoln no longer contributes, the vacancy having been filled up; but the Abbeys of Hyde and Ramsey contribute a further £500. For the total revenue the Pipe Roll gives us £34,580 14s. 8d. The special taxes above given amount to £10,400 19s. 9d.; deducting these from the £34,580 14s. 8d. total, we get as a basis for future estimates an enhanced normal revenue say of £24,000. A noteworthy item is the fine of £1,000 exacted from Philip of Poitou, the new Bishop of Durham.

With respect to the £5,169 19s. 5d. entered as revenues of Canterbury when the See was in hand under Henry II, in 1172, the return from the estates for the whole year in round numbers was £1,500. A few years later we shall get £1,152 15s. 9d. as a whole year's return. Hubert had not been dead six months at the time of the Audit, and John showed no intention of keeping the See vacant. The £5,169 19s. 5d. therefore represents the personal estate and effects of the late Primate and nothing more. But the point to which attention should be directed is not so much the amount of the fund confiscated, as the unblushing contempt for appearances and public opinion exhibited in publishing the amount. Throughout the time of Henry II however notorious the fact might be that the King considered himself the residuary legatee of his subjects in general, he had the decency to avoid recording his acts of plunder. A damning entry once betrayed the cost of transporting the treasures of a deceased bishop to London, but without disclosing the sum carried off. Thus we had to suggest an estimate of the yearly amount of unrecorded acts of spoliation. Frank revelation of these began under Richard, in connexion with the effects of a Jew, and a usurer, Aaron of York. Now the same lack of shame is exhibited with regard to the property of Churchmen.

<sup>1</sup> So Mitchell, *Studies*, 78.



## 9 JOHN

(Pipe Roll, No. 53)

1206-1207. In December 1206 John returned to England, landing apparently at Wareham, as on the 13th of the month he signs at Beer-Regis, a few miles inland.<sup>1</sup>

Between the rival claimants to the Primacy Innocent had no difficulty in coming to a decision, all their elections being clearly open to canonical objections; but he took his time in proclaiming his decision. On the 20th December he quashed the pretensions of the prior and subprior, Gray having been dismissed already, and declared in favour of the monks as against the bishops on the question of election. The ground having so far been cleared, he was able next day to announce the election at Rome, by representatives of the monks, of Cardinal Stephen of Langton, "an Englishman and a scholar, not a monk but also no courtier."<sup>2</sup> John absolutely refused assent to Langton's appointment. He had, of course, every justification for refusing. He had been palpably tricked out of his rights. But he put himself in the wrong by violence and using bad language. He did not know the obscure individual forced upon him. All attempts at obtaining his submission having failed, on the 17th June 1207 Innocent consecrated Langton. John was furious; he took the archiepiscopal estates into hand and also the capitular estates of the monks.<sup>3</sup> But for the finance of the year the signal event was the grant of the Thirteenth, conceded in more regular form than that of the Fifteenth of the 6th year. A demand for a contribution from clergy and laity was laid before a Grand Council held at Westminster on the 8th January (1207). In consequence of the opposition of the clergy the assembly was adjourned to the 9th February to meet at Oxford. The sitting apparently was held on the 11th, the King having only reached Oxford on the 10th. The clergy still withholding their consent, the grant was officially announced as that of a Thirteenth, or twelve pence on the mark of rents or agricultural produce as found on the Octave of the Purification or 9th February. But in spite of their opposition it clearly appears

<sup>1</sup> Itinerary; Angevin Empire, 410.

<sup>2</sup> Stubbs; Angevin Empire.

<sup>3</sup> Angevin Empire, 412, 413.



that after all the clergy had to contribute. The tax would be assessed on the personal oath of the landowner or his steward or bailiff in the presence of the King's Justices, township by township and Hundred by Hundred.<sup>1</sup> The Oblate Rolls give the yield as £57,421 11s. 5d. with £2,615 5s. 10d. still due.<sup>2</sup>

The Sees in hand were apparently as follows :

	£	s.	d.
Lincoln . . . . .	1,838	6	9
Ramsey . . . . .	581	7	3
Exeter . . . . .	655	8	10
	<hr/>		
	3,075	2	10

The Canterbury returns probably had not been got in in time for the Audit, and so do not appear.

Thus the revenue must have gone up at a bound to £80,000 and upwards, at the very least.

	£	s.	d.
Average normal revenue, say	24,000	0	0
Sees in hand . . . . .	3,075	2	10
Thirteenth . . . . .	57,421	11	5
	<hr/>		
Total . . . . .	84,496	14	3

## 10 JOHN

(Pipe Roll, No. 54)

1207-1208. With the year 1208 we enter on the abnormal period of the Interdict, when the revenue would again be swelled by confiscations of Church property. On Passion Sunday, 23rd May (1208), the dread sentence was at last fulminated, to take effect from the morrow. From that time throughout England and Wales all church doors would be closed, and all public ministration of the sacraments would cease ; except baptism of infants and the *viaticum* to the dying.

The bishops charged with the dangerous duty of uttering the sentence fled from the wrath to come. Only John Gray of Norwich the Treasurer, and Pierre des Roches, a Poitevin baron

<sup>1</sup> See the writ, Select Charters, 275.

<sup>2</sup> Mitchell, 91.

of military reputation, recently appointed Bishop of Winchester remained to support the King.<sup>1</sup> John, with his usual recklessness, at once proceeded to declare war against the whole ecclesiastical community, monks, parish priests, and all, ordering their temporalities to be taken into hand. A few days later, however, he thought better of it, and simply directed their goods to be sequestered by the sheriffs, and placed under lock and key, only the necessary pittances for their maintenance being doled out to them.<sup>2</sup> Parochial clergy who were married, or had housekeepers (*focariae*) living with them, were forced to redeem them. Still, as the Pope had other and sharper arrows in his quiver, John could not afford to neglect a show of negotiation. Ten days after the promulgation of the Interdict, on the very day when the King modified his attitude towards the clergy, envoys were sent to Rome, to say that the King was prepared to reinstate the Canterbury monks, and to receive Langton, but not as a friend. Later he issued a safe-conduct to Langton, but only under the title of Cardinal. The Archbishop, therefore, naturally did not care to avail himself of the invitation.<sup>3</sup> On the other hand, John made praiseworthy attempts to fill up vacant Sees, appointing men to Lincoln, Exeter, Coventry, and Chichester.<sup>4</sup> But nevertheless the vacancies could still supply £3,438 19s. 2d. to the fisc.<sup>5</sup>

No scutage or tallage was levied, and the revenue must have fallen woefully below that of the previous year. Some arrears of the Thirteenth were probably got in. But with only £3,438 19s. 2d. from the Sees in hand for extraordinary returns, we could hardly suggest a revenue above £27,000 or £28,000. But if raising a leaf we look forward to the teaching of the next year, we shall find there that for extraordinary returns all that appears is £414 1s. 9d. from Sees, with a scutage of £1,456 17s. 3d., together making £1,870 19s., as against the £5,438 19s. 2d. of our current year, but that nevertheless the Pipe Roll will record a total revenue of £28,276 16s. 8d. With these facts we cannot suggest a return under £30,000 for the 10th year of King John.

<sup>1</sup> Angevin Empire, 413, 416.

<sup>2</sup> Annals of Dunstable, 30; Ann. Waverley, 260, 261 (Rolls Series, H. P. Luard).

<sup>3</sup> Angevin Empire, 417, 418.

<sup>4</sup> Id. 422.

<sup>5</sup> Mitchell.

## II JOHN

(Pipe Roll, No. 55)

1208-1209. On the 12th January 1209 Innocent addressed the King in terms amounting to an ultimatum. If the promises given by John's envoys at Rome were not fulfilled, then within three months' time from the receipt of that letter the King would stand and be excommunicate. But, as if still clinging to the hope of a peaceful solution, Innocent followed up his minatory letter by one written in gentler strains. Towards August John ordered the Bishops of London, Ely, and Worcester to come to England to treat. They came over and had conferences at Canterbury with the King's agents, when terms were agreed upon and a formal treaty signed. The compact being reported to John, partial restitution was ordered to be made to some of the bishops. But the King intimated that he could not go the length of full restitution. The bishops demurred, insisting on complete reinstatement, as under the treaty; failing that they threatened excommunication by the 6th October.<sup>1</sup> Thus our financial year came to a close while matters were still hanging in suspense, and the Pipe Roll again reflects the situation. The Sees in hand yield only £414 1s. 9d.<sup>2</sup>

But the struggle with the Pope was not the only matter calling for the King's attention. Contention had broken out between the Welsh Princes, namely, the several Princes of North Wales, South Wales, and Middle Wales or Powys. Twice had John been called to Shrewsbury. From the Welsh March John had to advance to the Scottish Border. William the Lion had given distinct provocation, demolishing a fort at Tweedmouth established as a counter-work to Berwick. A Conference at Norham held in April having come to nothing, John called out an army on the 3rd August and again appeared on the banks of the Tweed. Terms were adjusted; John acquiescing tacitly in the demolition of the fort, and William agreeing to pay £10,000 by four half-yearly instalments; he also placed his daughters Margaret and Isabel in John's hands, quasi-hostages, to be married to English barons.

<sup>1</sup> Angevin Empire, 418.<sup>2</sup> So Mitchell, 106.

A scutage at the rate of 20s. the fee was levied with the usual fines, more preposterous than ever, as the service was purely domestic. The yield as found by Professor Mitchell was £1,456 17s. 3d.<sup>1</sup>

The total revenue on the Pipe Roll amounts to £28,276 16s. 8d.

Of this sum the entire contribution from extraordinary sources, namely, the Sees and the scutage, amounted to just £1,864 19s. Deducting this figure from the total, we gain the interesting fact that the ordinary revenue could now produce £26,411 7s. 8d. as compared with £21,085 12s. 6d. of the 3rd year.

## 12 JOHN

(Pipe Roll, No. 56)

1209-1210. Again this year, John, in the intervals between the moves in the struggle with the Papacy, found time for another military expedition, and in fact for one to Ireland, to subdue rebellious feudatories there, aiming at independence. On the 20th June he landed at Crook near Waterford. John met with complete success in obtaining homage from the natives and in reducing the Anglo-Norman settlers to order. But above and beyond that, John must be credited with having taken definite measures for the orderly government of the country. The English system of administration was introduced; and the territory supposed to recognize the King's authority mapped out. To the King's visit to Ireland and the good sense of the Treasurer, Bishop Gray of Norwich, must be attributed the introduction of coined halfpence and farthings instead of leaving people to break up pennies for small change. By the 26th August John returning had landed at Fishguard on the coast of Pembroke-shire.<sup>2</sup>

For the expedition another scutage, the ninth of the reign, was imposed. According to the Red Book the rate was two marks.<sup>3</sup> But most of the tenants paid at the rate of three

<sup>1</sup> Studies, 95. In the Red Book the scutage is assigned to the 13th year; I. 12.

<sup>2</sup> Angevin Empire, 425, 426.

<sup>3</sup> Studies, 94, 98. At p. 343 the Professor estimates the scutage, tallages, and fines as yielding 25,000 marks (£16,666 13s. 4d.).

marks, with fines exceeding anything imposed before. The returns are incomplete, but the amount as found by Professor Mitchell amounts to £5,664, say £6,000. Tallages also, approaching the unprecedented sum of £10,000, were raised; while the Sees yielded £3,694 4s. 9d., thus in all making up £9,358 4s. 9d. for extraordinary returns. The preceding Roll gave the ordinary revenue as amounting in round numbers to £26,000-27,000. The total, therefore, may fairly be put at £45,000-46,000.

### 13 JOHN

(Pipe Roll, No. 57)

1210-1211. The terrible 6th October, when the King would be excommunicated, approaching, a fresh futile attempt to forestall the sentence was repeated. Langton was invited to England to meet the King. On the 2nd October he landed at Dover; the King made an advance as if to meet him; but before they met it transpired that John was not prepared to fulfil the treaty in its entirety, as required by Langton, whereupon the archiepiscopal party returned to their ships. In the course of November the excommunication was finally published, but only in France, not in England. But the news would soon cross the Channel. John guarded against the possible consequences by calling for a general performance of homage, and exacting hostages, and imposing fines to be paid by instalments by suspect barons.

The sequestrated property of the clergy was no longer spared and the amount accounted for reached the large sum of £24,606 6s.<sup>1</sup> But John affected to be dissatisfied with the contributions from the monastic Houses in general, and from the Cistercians in particular. Towards the end of October (1210) he summoned a sort of Synod or Convocation to meet in St. Bride's Church, Fleet Street, to extort a reluctant consent to money grants. But the allegations of the chroniclers as to the sums paid by the Cistercians and others must be received with the greatest caution. On the Pipe Roll the contributions

<sup>1</sup> Mitchell, 107.



obtained are all from Sees and abbeys in the usual course, but, as already pointed out, to the extraordinary amount of £24,606 6s.

The Jews also were heavily mulcted, a general tallage being assessed on them at Bristol in November. On the Pipe Roll £1,785 2s. 5d. are paid in on this account. The sum includes £1,336 9s. 6d. paid for himself and family by Isaac of Bristol, evidently the man who, according to Wendover, was condemned to lose a tooth a day till he agreed to pay 10,000 marks.<sup>1</sup> In 1220 Isaac is still found paying £604 to Hubert de Burgh on account of 10,000 marks.<sup>2</sup>

A fresh outbreak by Llywelyn ap Iorwerth, who had attacked Ranulf or Randolph III, Earl of Chester, led to two further expeditions into Wales. The first undertaken in May (1211) failed utterly. The second carried out in July and August in greater force, and with fuller supplies, was pushed as far as Bangor, and brought the Prince to terms. His wife, a natural daughter of King John, acted as go-between.<sup>3</sup> Another scutage of two marks the knight's fee was called for. A large proportion of the tenants had probably been called on for service in person and the total yield came only to £2,516 9s. 5d.<sup>4</sup>

The year again closed without any agreement with Innocent. The treaty broke down on the question of refund, which John could not face.

The extraordinary taxation of the year will stand as follows :

	£	s.	d.
Sees in hand, &c. . . .	24,606	6	0
Tallage of Jews . . . .	1,785	2	5
Scutage . . . . .	2,506	9	5
	<hr/>		
	28,897	17	10
Ordinary, say . . . . .	26,000	0	0
	<hr/>		
	54,897	17	10
	<hr/>		

In round numbers the total might be put at £55,000.

<sup>1</sup> Angevin Empire, 427; Wendover, III. 231, 232.

<sup>2</sup> Rot. Claus. I 459 a, cited Mitchell, 427.

<sup>3</sup> Angevin Empire, 428, 429.

<sup>4</sup> Mitchell, 102.

## 14 JOHN

(Pipe Roll, No. 58)

1211-1212. Another whole year the struggle continued, the Church refusing to be satisfied with anything short of an absolute victory, and John negotiating or pretending to negotiate. But he was getting nervous, and conscious of extensive disaffection round him. He fell back on his usual measures of precaution, seizing castles and exacting hostages. Eustace de Vescy of Alnwick and Robert fitz Walter of Baynard's Castle, Blackfriars, found it prudent to retire abroad.<sup>1</sup>

The Sees in hand yielded £13,074 10s. 3d.,<sup>2</sup> with our ordinary £26,000 or £27,000 the total may safely be put at £40,000.

## 15 JOHN

(Pipe Roll, No. 59)

1212-1213. John's final submission was brought about by the threat of foreign invasion, tacitly fomented by Innocent. On the 6th April 1213 the King of France held a Grand Council or Parliament of Magnates at Soissons. The objects given out were the redress of the wrongs of the Church; and the punishment of John for the murder of Arthur, and other crimes. But the real aim was the establishment of young Louis as King of England in vassalage to France. General musters were immediately called for on both sides, and marched down to the sea. The English barons appeared with imperfect contingents, and John had to make liberal advances (*praestita*) to them for their expenses.<sup>3</sup> But all immediate danger of invasion had been dispelled by the promptitude of the English fleet, which, without waiting to be attacked, had destroyed the shipping at the mouth of the Seine and at Dieppe. While the two armies were thus facing each other across the Channel, the Legate, Pandulf, reached Calais with the Pope's ultimatum. Philip's agents accompanied him to give effect to the threat of deposition. John now found himself in a great strait; there were the Papal terms so bitter and humiliating, but there was also the plain

<sup>1</sup> Angevin Empire, 430-433.<sup>2</sup> Mitchell, 107.<sup>3</sup> Excheq. K. R. Accounts, Bundle 325, No. 2, m. 2, 3, cited Mitchell, 111.

threat of deposition, with Philip ready to give effect to it. Of the English barons many were known to be in communication with the enemy. Finally, however, Pandulf was invited to come over. Preliminaries having been adjusted, on the 15th May John came to Dover and sealed letters patent binding himself to Innocent's requirements, word for word—*mutatis mutandis*.

The world must have been prepared for this result. But great must have been the astonishment of all to hear that two days later John surrendered his kingdoms of England and Ireland to the Papacy to be held as fiefs of the Holy See, at a yearly rental of 1,000 marks, namely, 700 for England and 300 from Ireland.<sup>1</sup>

With respect to the total amount of the Church revenues confiscated during the Interdict, the Red Book of the Exchequer gives the sum as £100,000 3s. 11d.<sup>2</sup> Innocent only insisted on repayment of 100,000 marks (£66,666 13s. 4d);<sup>3</sup> while the total found on the Pipe Roll for the 12th, 13th, and 14th years together, only amounts in all to £58,474 3s. 9d.<sup>4</sup> But large sums, doubtless, had been paid directly to John himself. Meanwhile it was arranged that he should give security for 40,000 marks to have the Interdict raised, and bind himself to pay off the balance by half-yearly instalments of 6,000 marks. John seems to have done his best faithfully towards carrying out his part of the bargain till the war with the barons broke out. At any rate the 40,000 marks seems to have been paid, with a further 6,000 marks to the bishops.<sup>5</sup>

On the 20th July John was absolved at the door of Winchester Cathedral, but the Interdict was not yet dissolved.

Without tallage or scutage or any See in hand the year's revenue must have been restricted to the most ordinary issues, amounting say to £26,000.

<sup>1</sup> Angevin Empire, 439.

<sup>2</sup> "*Recepta a rege Johanne de Episcopis abbatis et aliis clericis Angliæ tempore interdicti . . . summa totalis CM li. et V marc et III den.*"; II. 772, 773. Strictly "CM li" should be read £900.

<sup>3</sup> See his letters, Angevin Empire, 446.

<sup>4</sup> See Mitchell, 108, 109 and notes.

<sup>5</sup> *Ib.*

## 16 JOHN

(Pipe Roll, No. 60)

1213-1214. The year 1214 found England still under the Interdict. The attitude of the barons towards the King was sulky and defiant; but he was still bent on an expedition to Poitou, in spite of the opposition of his subjects. In the month of February he sailed to La Rochelle. The only Englishmen of rank with the King were the Earls of Chester and Derby, and Walter de Lacy.

The campaign proved even more humiliating than that of 1206. Having landed at La Rochelle on the 15th February, for two months John moved up and down Aquitaine, the Poitevins readily accepting his nominal suzerainty. By the end of May he had reached the line of the Loire, and began pushing forays up and down the valley, with one across the river to the gates of Nantes. About the 15th August he sat down before La Roche-au-Moine, an unconquered fortress on the north bank of the Loire, that cut the communications between Angers and Ancenis. For fourteen days he pressed the siege with vigour. Suddenly about the 2nd July Louis was reported to be advancing in force. John, to do him justice, no way dismayed, marched out to meet him. But the faint-hearted Poitevins refused to follow him, declaring that they had not come to fight pitched battles! Panic-stricken at the thought of treachery and desertion, John raised the siege, and recrossed the Loire in such haste that he abandoned all his tents, baggage, and artillery. Piteous appeals to England for help met with no response.<sup>1</sup> Three weeks later John's continental schemes were shattered by the signal defeat of his Flemish and German allies on the field of Bouvines (27th July 1214).<sup>2</sup>

John had to resign himself to peace. On the 11th September a truce to Easter 1220 was signed with Philip. On the 2nd October the King was still at La Rochelle; on the 15th of the month he signs at Dartmouth.<sup>3</sup>

For the taxes of the year a final scutage, the 11th of the reign

<sup>1</sup> Angevin Empire, 443-445.

<sup>2</sup> For full account of the battle with maps see *id.* 455-465.

<sup>3</sup> Angevin Empire, 465.

at the now usual rate of three marks on the fee, was levied. "The amount charged was £6,353 16s., of which sum £1,402 13s. 11d. were paid in 1214."<sup>1</sup>

A tallage also, "the first since 1210", was levied, not for the war, but for the payments for the raising of the Interdict. In round numbers the tax came to £6,000, of which £4,000 was paid in 1214.<sup>2</sup>

	£	s.	d.
Revenue (Pipe Roll)	42,112	1	11

## 17 JOHN

(Pipe Roll, No. 50)

1214-1215. Beaten and discredited, John came home (October). In his absence the terrible Interdict had been dissolved (2nd July). For upwards of six years and a quarter, namely, from the 24th March 1208, had it weighed on the country. John had given the required undertakings as to refund of Church revenues impounded; but the money actually forthcoming to meet all demands proved utterly inadequate; the clergy in crowds were clamouring for satisfaction.

The absence of the King for eight continuous months had given the malcontent barons great opportunities for meeting and concerting measures. Altogether the situation was one calling for tact and prudence on the part of a ruler. John met it by demanding a fresh scutage, namely, one from those who had refused to follow him to Poitou, thus raising the most burning question of the hour. He had his answer in the shape of a meeting held at Bury St. Edmunds (November?), when the barons pledged themselves to demand the Charter of Henry I, resolving that the time for action had come, and that preparation should be made for a possible recourse to arms after Christmas.<sup>3</sup>

True to time, at the Epiphany, the confederate barons entered London in glittering array; but the King was safely established in the "New" Temple<sup>4</sup> (January 1215). "The demand for the Charter of Henry I carried all men with it.

<sup>1</sup> Mitchell, 112.

<sup>2</sup> Id. 116-118.

<sup>3</sup> Angevin Empire, 466-468.

<sup>4</sup> The present Temple, established in 1184; the Templars having previously been established in Holborn; Wheatley and Cunningham, 'London'.



John had thus for the first time since the Conquest arrayed the Commons on the side of the Barons as against the Crown."<sup>1</sup>

At Easter<sup>2</sup> war fairly broke out, but we cannot follow the various operations and pourparlers by which John's reluctance was overcome and the Great Charter finally sealed at Runnymede (15th June 1215).

The "question" of the King's good faith, especially with reference to the appointment of the standing Executive Commission of Twenty-five, on whose action everything would depend, still remained. Within a month of the signing at Runnymede we are told that the barons were so dissatisfied with John's attitude that, but for the harvest, they would have recommenced regular operations. In the North the King's demesnes were being freely plundered. To keep their party together the barons had recourse to tournaments. Michaelmas found John preparing for a general muster at Dover.

With the outbreak of war at Easter the collection of the revenue became impossible. Judicial circuits and sittings of the Court of Exchequer ceased.<sup>3</sup> No attempt at holding an Audit was made at Michaelmas 1215. No estimate, therefore, can be offered of the revenue of the year (17th John). Late in the year 1217, however, in fact under the following reign, an account of sums received by the sheriffs between Michaelmas 1214 and Easter 1215 was taken, and entered as the Pipe Roll of 17 John (No. 61), but in fact it appears to contain entries of even later date<sup>4</sup> and altogether is not worthy of summation.

<sup>1</sup> Stubbs.

<sup>2</sup> So Pipe Roll 17 John.

<sup>3</sup> "*Cessaverunt placita scaccarii et vicecomitatum per Angliam quia nullus inventus est qui Regi censum daret*"; R. Wendover, III. 301.

<sup>4</sup> "*Cancellatur hic quia respondit de omnibus receptis suis supradictis de tempore pacis . . . sed nichil de tempore guerrae*"; Pipe Roll 17 John, 4; Turner, Royal Hist. Soc., N.S. XVIII, cited Mitchell.

## 18 JOHN

1215-1216. At Michaelmas the barons, finding themselves driven to extreme measures by John's attitude, resolved to depose him and offer the crown to Louis of France. But the more moderate men refused to go such lengths. The Pope, on the other hand (Innocent III), had proclaimed his view of *Magna Carta*. He gave no uncertain sound, condemning it utterly, as having been extorted by force, and being in itself vile, base, and illicit.<sup>1</sup> This could only widen the breach between the parties. The Confederates, therefore, drew the sword again. The trial of strength turned on the siege of Rochester Castle, which happened to be in the hands of the Confederates. After a month's heroic resistance the fortress succumbed (30 November). John then entered on a tour of reduction, wasting all hostile estates, North, South, East, and West; but without inducing a single malcontent to come over. He even invaded Scotland, where Alexander II had been in communication with the Confederates. Lothian was wasted as far as the Esk. In May 1216, Louis, a weak, timid man, at last came over, and was received with open arms by the Londoners, but John managed to retain his hold on the Tower. With the reinforcements brought by Louis the barons started on their counter-tour of reduction, wasting the lands spared by John. The worst of it was that neither side seemed to make any progress. Both John's cause and that of the barons' seemed to grow daily more hopeless. The cruel see-saw went on till a new situation in the dismal drama was introduced by the sudden death of King John (19th October).

Of the revenue of the year again no estimate is possible.

The introduction of a legal system of taxation of personalty, in the shape of the Sevenths of the 5th year, followed by the Fifteenths of the 6th year, and the Thirteenthths of the 9th year, was the financial mark of the reign. The old tallages, no doubt, were charges on personalty, but in strictness only leviable from the King's demesnes and the boroughs, these being reckoned part and parcel of the demesne. Then the tallage was leviable without any consent on the part of the subject, and had to be

<sup>1</sup> See Angevin Empire, 488.

paid simply as assessed by the King's officers. The extension of tallage under the euphuisms of *Donum* or *Auxilium* to persons not connected with the demesnes was of course wholly illegal and unconstitutional. To the levying of the Sevenths and Thirteenths consent had clearly been obtained. The Thirteenth, in fact, was assessed and collected by the persons who had to pay it. With these resources, the wholesale plunder of Church property during the Interdicts, and his own unscrupulous methods, John was able to raise a revenue greatly in excess of that of any of his predecessors. Henry II's figures only rose to £30,000 once, and his average never reached £20,000. John's average comes out as over £40,000, with £24,000 as the lowest return of any single year.<sup>1</sup>

For the revenue the Pipe Rolls are still our primary authority, but there are other records to be consulted. The reader may have noticed that whereas the yield of the Fifteenth of merchants' goods was duly entered on the Pipe Roll of the year, no notice either of the Sevenths or of the Thirteenths of barons' movables appeared in these records. Of this anomaly in the working of the Exchequer, which we shall find continuing in the future, we can give no very satisfactory account. The Pipe Rolls reflect the system expounded in the *Dialogus*. It would seem that for sources of income not enumerated in the *Dialogus* no place was found on the regular pipes of the Great Roll, all such sources being treated as "foreign" or adventitious receipts. But they were not wholly ignored, being entered on the backs or spare membranes of the Rolls, till the regular system of "Foreign Accounts" was instituted.

A tax on merchants' goods might be treated as a tallage of a sort; and tallages did appear in the *Dialogus*. But for taxes on the movables of clerical or lay barons there was no heading in that work. Again the Pipe Rolls were primarily the accounts of the sheriffs' receipts. The Subsidies were not collected by the sheriffs, but by other officers, and remitted to special commissioners in London. That might account for the non-appearance of the yield of the Subsidies on the Pipe Rolls. But in the case of the Seventh, the money in fact was collected by the sheriffs.

<sup>1</sup> See Table X.

Under Henry II we complained of sums paid privately to the King, through the Chamber or otherwise, and not entered on the Rolls. The practice in that respect seems to have been somewhat amended, as we saw in the case of some of Aaron's debts paid into the Exchequer. But we still have no evidence as to the amount that might be paid into the Chamber. Casting a glance forward to the fuller evidence supplied by later reigns, where we have Wardrobe Accounts dealing with such payments, comparing the sums recorded by them under Henry III,<sup>1</sup> we could not allow less than an estimate of £5,000 a year for the same under John. That would bring his revenue up to £45,000 a year.

Of two sources of income that ought to have been more formally recorded, the Customs and the profits of the Mint and Exchange, we have had isolated accounts. Under the third year of the reign we found the profits of the Mint farmed for £566 13s. 4d. a year.<sup>2</sup> For Customs in like manner we have one full account, and that tells us that the general rate of duty was a Fifteenth or £7½ per cent., instead of the £10 per cent., as the rate seemed to be under Richard. The yield for some twenty-nine months from thirty-two ports, mostly on the East coast, and without Bristol, is £4,958 7s. 3d. That would represent something over £2,000 a year. The four chief contributors were London, sending in £836; Boston, £730; Southampton, £712; and Lynn, £651.<sup>3</sup> Woad was evidently an important article in the Eastern counties, being used for dyeing cloths; it was apparently subject to a special tax, an *Assisa*. We also hear of the "Prisage of Wines", being the profits of taking two *tonnels* of wine from each ship at 15s. the *tonnel*, the market rate running from £1 to £2 6s. 8d. the *tonnel*. We also find a very small duty of four pence, doubtless of old standing.<sup>4</sup>

With the accession of King John we get a great expansion in our Chancery Records. The Charter Rolls begin with the first year of the reign; they register all grants either to corporations or individuals made by the King. Charters were distinguished from letters patent by requiring the attestation of witnesses, and by their being addressed 'To the archbishops,

<sup>1</sup> See Tables,\*Dawn of the Constitution, 294.

<sup>2</sup> Pipe Roll 6 John, 16; cited Madox, I. 772.

<sup>3</sup> See above, p. 234.

<sup>4</sup> See Madox, 772-774.



bishops, abbots, priors, earls, barons', &c., in order of precedence, while letters patent were simply addressed 'To all to whom these presents shall come', &c.<sup>1</sup>

The Patent Rolls begin with the third year. They record all public grants, orders, or directions of any kind, made or issued by open or 'patent' letters, as distinguished from private orders, issued in closed letters (*Litterae Clausae*). The letters patent have the Great Seal hanging at the bottom, on an endless loop of parchment. The Close Rolls register orders of a more private character, sent to individuals, in folded, or 'close' letters, with the Great Seal on the outside.<sup>2</sup> The Patent Rolls have been calendared to the reign of Edward IV. The Close Rolls begin with the 6th of John; they have been either transcribed or calendared to the year 1354.

The *Oblata* and Fine Rolls record the fines and offerings for favours from the King with which the reader is familiar, including payments made for Relief on succeeding to property, or on account of the feudal rights of Wardship and Marriage.

The *Liberate* Rolls derive their name from recording precepts to the Treasurer or others for payments of money or allowances to accounting parties. They also register writs of "*Allocate*" and "*Compute*", the forms of which the reader has had in the *Dialogus de Scaccario*.<sup>3</sup> These Rolls begin with the second year.

Other Rolls started in the reign were the *Prestita* Rolls, of advances made to public servants, and the *Misae* Rolls detailing the King's daily expenditure.<sup>4</sup> This expansion in the Chancery Records must be viewed in connexion with the severance of the Chancery from the Exchequer, which must be placed about the beginning of John's reign, both to be attributed to the statesmanship and energy of Hubert Walter, who had already instituted the Exchequer of the Jews. Hubert became Chancellor at John's coronation. "Three weeks later we find the system of enrolling the charters and writs of the Chancery established. . . . Hubert's knowledge of the business of government in all its branches, financial, judicial, and administrative, would naturally

<sup>1</sup> For Calendars of the Charter Rolls, see Birch, *Public Records*, 27.

<sup>2</sup> See Tout, *Chapters in Administrative History*, I. 137, for detailed description of the mode of folding a close letter.

<sup>3</sup> See above, 24, 25.

<sup>4</sup> See Scargill Bird, *Public Records*; and Foss, *Judges*, III. 3.



suggest to him the convenience of making the Secretary's office, the Chancery, a separate department."<sup>1</sup>

A minor innovation of the reign was the introduction of a small or Privy Seal (*Parvum Sigillum*, *Privatum Sigillum*), which appears in connexion with the close letters, to dispense with the use of the ponderous Great Seal in the case of private and less important communications or instructions and especially in connexion with the Chamber.<sup>2</sup> Under later reigns Privy Seals acquired a bad name through their connexion with the notorious 'Benevolences' (the *Dona* of the time), extorted by close letters addressed to individuals requesting money.

Prices of wheat seem to have risen generally with terrible expansions in bad seasons. In 1201-1202 Norfolk wheat could be had for 2s. 3d. the *summa* or quarter. In the accounts of the next two years we have wheat quoted in different places at 4s. 9d., 6s. 8d., 7s. 3d., and 8s. the quarter. According to the chroniclers, wheat by the spring of 1205 had risen to 13s. 4d., and 14s. the quarter. In 1204 when an attempt was made to regulate the price of bread, or rather the size of the loaf, it was assumed that wheat might run from 1s. 6d. to 6s. the quarter. As for wages, the services of an able-bodied man, to act in a position of some trust, such as the keeping of a jail, could still be had for a penny a day. Miners received 3d. a day. A virgate or yard of land, half of a hide, or 50 to 60 acres is found let for 13s. 4d. or less than 3d. an acre.<sup>3</sup>

<sup>1</sup> Poole, *Exchequer*, 187, 188; Anson, *Constitution*, II, pt. ii, 255; Tout, *Chapters in Administrative History*, I, 127, 139, 146.

<sup>2</sup> Tout, *sup.* 154.

<sup>3</sup> See Angevin Empire, 506, and authorities there given.

TABLE X. REVENUES OF KING JOHN WITHOUT COMBUSTIONS

Regnal year.	A. D.	Revenue.		
			£	s. d.
1	1198-1199	(Pipe R.)	30,021	12 8
2	1199-1200	Say	24,000	0 0
3	1200-1201	(Chr. R.)	24,781	19 11
4	1201-1202	Say	24,000	0 0
5	1202-1203	Say	134,000	0 0
6	1203-1204	Say	42,000	0 0
7	1204-1205	Say	30,000	0 0
8	1205-1206	(Pipe R.)	34,580	14 8
9	1206-1207	Say	83,496	0 0
10	1207-1208	Say	30,000	0 0
11	1208-1209	(Pipe R.)	28,276	16 8
12	1209-1210	Say	46,000	0 0
13	1210-1211	Say	55,000	0 0
14	1211-1212	Say	40,000	0 0
15	1212-1213	Say	26,000	0 0
16	1213-1214	(Pipe R.)	42,112	1 11
17	1214-1215	No Audit		
18	1215-1216	No Audit		

TABLE XI. TAXES, LEGAL AND ILLEGAL, LEVIED BY JOHN

Regnal year.	A. D.	Legal taxes.			Illegal taxes.		
		N.B. The legal scutages generally included illegal fines <i>Ne transfrement</i> .					
			£	s. d.		£	s. d.
1	1198-1199	Scutage 2 marks the fee	2,263	0 0	Tallage	3,666	13 4
2	1199-1200	Carucage 3s.	No return				
3	1200-1201	Scutage 2 marks	3,634	0 6			
4	1201-1202	" "	2,945	6 8			
5	1202-1203	" "	3,165	6 8			
		Seventh of barons' movables	No return				
6	1203-1204	Scutage 2 marks	3,527	6 8	"	3,333	6 8
		Fifteenth of merchants' goods	4,958	7 3½			
7	1204-1205	Scutage 2 marks	4,941	6 8	"	2,000	0 0
8	1205-1206	Scutage 1½ marks	2,065	6 8	"	2,666	13 4
9	1206-1207	Thirteenth of all rents and agricultural produce from clergy and laity	57,421	11 5			
10	1207-1208						
11	1208-1209	Scutage 1½ marks	1,456	17 3			
12	1209-1210	" 3 marks	6,000	0 0			
13	1210-1211	" "	2,516	9 5	"	10,000	0 0
16	1213-1214	" "	6,353	16 0			

## HENRY III

*Born 1st October 1207; crowned 28th October 1216;  
died 16th November 1272*

WITH the reign of the Third Henry we advance to a new financial system, a system in some respects transitional and unique, differing both from earlier and from later systems. In the first place, we get the benefit of the Pell double series dealing both with receipts and expenditure. In the next place, instead of one single account of the revenue, as in the Pipe Rolls, we find it at different times paid in under two, three, and eventually four several heads, namely those of the Exchequer, the King's Wardrobe, the Queen's Wardrobe, and lastly the allowance to the King's son Edward. Of the King's Chamber or Privy Purse we have already heard as supported mainly by transfers from the Exchequer, but certainly also by revenues paid directly into it. The amount of these, as well as of other sums paid privately to the King, has always been a doubtful question, leaving the total amount reached by the Royal revenue in some uncertainty. We now have the King's Wardrobe branched off from the King's Chamber, with regular accounts showing it to have been a great spending department, through which, not only Household accounts, but also military accounts were passed.<sup>1</sup> "From about the 6th year of Henry III to the 16th of Edward II the membranes containing the Wardrobe Accounts are placed at the end of the Pipe Roll in each year, and are referred to in the Rolls themselves as the *Rotulus Computarum*. But from the time of Edward II separate Rolls of these accounts were made up."<sup>2</sup> The Wardrobe, like the Chamber, was supplied partly by sums transferred from the Exchequer, partly by sums paid in directly from the country as already mentioned. Fortunately the Wardrobe Accounts

<sup>1</sup> For the development of the Wardrobe from the Exchequer, beginning in the time of John, see Tout, *Administrative History*, I. 158-169.

<sup>2</sup> Scargill Bird, *Guide to Public Records*, 92, 246.

hamnlofare



(d) Idem Walterus [sc. Bloweberme] pro-  
bator, *named a little above* venit & appel-  
lat Hamonem le Stare de Wyntonia per ea-  
dem verba [viz. de latrocinio], scilicet,  
quod fuerunt . . . . .  
de Cruce apud Wyntoniam, & ibi furati  
erant pannos & alia bona, unde . . . Ha-  
mo habuit ad partem suam duas tunicas,  
unam scilicet de panno de Hybernia, &  
unam tunicam partitam de panno de Aben-  
don & de burello Londoniæ; & quod simul

fuit cum eo ad faciendum dictum latrocinii-  
um, offert disrationare per Corpus suum,  
sicut Curia consideraverit &c. Et Hamo  
venit & defendit totum; [Et dicit] quod  
vult se defendere per corpus suum &c. Ideo  
consideratum est quod duellum sit inter  
eos &c. Et [est du]ellum inter eos per-  
cussum. Et prædictus Hamo succubuit  
Ideo ad Judicium de eo &c. Nulla habuit  
catalia. *Ex Vet. membranis in archivio Regio  
Turreis Lond.*

Walter bloweberme



hamnlofare





are careful to distinguish between the drawings from the Exchequer and the direct receipts. The sums drawn from the Exchequer have already figured on the Rolls, and therefore must not be included in our estimates of the revenue; but the direct receipts of the Wardrobes must be taken into consideration as integral parts of the revenue. Our Tables of the Wardrobe Accounts accordingly give only the direct receipts.<sup>1</sup> These we have sifted out of the Enrolled Wardrobe Accounts of the different reigns kept in the Public Record Office, where the reference to the original accounts are given.

Under Henry III the Queen also had a private Wardrobe of her own, partly fed by direct receipts. These are not very important; but as presumably, if not assigned to the Queen, they would have swelled the Exchequer receipts, they should also be taken into account. But the Queen's Wardrobe fortunately disappears after this reign. During this reign the Wardrobe Accounts were kept in a very clumsy fashion, the drawings of three, four, five, and even of seven years being embraced in one single account, so that the exact drawings of each year cannot be given, only the proportionate share of the lump sum.<sup>2</sup> Eleanor (Alienora) was married in 1236; but her Wardrobe Accounts only begin with the 24th year of the reign, 1239-1240.

With respect to the fourth head of account, that of young Edward's allowance, we are told that in 1255 revenues to the amount of £10,000 a year were assigned to him for his establishment on his marriage. No accounts of what he received are forthcoming. But from the marked fall in the Exchequer receipts from the 41st year (1256-1257) onwards, we may gather that the allowance was very fairly paid up, considering the financial straits of the times.

The exact relation of the Pell Receipt Rolls to the Pipe Rolls has not yet been determined; but the former appear to have been at first little if anything more than a digest of the corresponding Pipe Rolls with the matter rearranged. In the first place, the accounts of each year, instead of being included in one Roll, are given under two 'terminal' Rolls, one for the

<sup>1</sup> See Tables, Dawn of the Constitution, 294.

<sup>2</sup> See Tout, *sup.* I. 192, and Appendix, 233, where the Wardrobe Accounts 5 January 1224-10 April 1227 are given.

Michaelmas term and the other for the Easter term. Then the entries are no longer arranged by counties, but in chronological order ; while, lastly, the Pells give us daily, weekly, and terminal totals, a precious boon, considering the labour of adding up Pipe Rolls, where no totals are given. The Pells were kept in triplicate, the principal copy or Treasurer's Roll was headed with the name of the Treasurer ; while the duplicates each bore the name of one of the Chamberlains, the Chamberlains holding in Sergeanty. At the Public Record Office these Chamberlain's Rolls have been misnamed Auditor's Rolls. But no such office as that of Auditor of the Exchequer was known to those days.<sup>1</sup> The accounts of the individual receivers of branches of the revenue were regularly audited, but not the comprehensive accounts of the Treasurer, which were not audited.

But even with the Pell Rolls and the Wardrobe Accounts we do not get at the full amount of the revenue. In connexion with the Pipe Rolls, under the reign of John, we pointed out that the new clerical and lay Subsidies, the most important branches of the revenue, found no place on their membranes, and that for the yield of these taxes we must turn to the special accounts of "Subsidies". So it is with regard to the Pells, which equally fail to record the Subsidies. Further deficiencies in the Pell Rolls, as representing the full amount of the revenue, will be found arising from the system of "assignments". An assignment was an order to the receiver of a branch of the revenue to make a certain payment. On the Pipe Rolls we had constant orders to the sheriffs to make payments out of moneys in their hands. But the payments were all duly entered on the Roll and credited to the sheriff. Assignments drawn on receivers of branches of the revenue, such as Collectors of Customs, or the Keeper of the Cambium or Mint and Exchange, are not entered on the Pell Rolls, and must be sought for in the special or "Foreign" Accounts of these officers—accounts so named as being foreign to the original Sheriff's Accounts. But these Foreign Accounts will not trouble us for the present reign.<sup>2</sup>

<sup>1</sup> For auditors of the Exchequer about the year 1603 see Eric George, *The Declared Account* ; Eng. Hist. Rev. XXXI. 41.

<sup>2</sup> For a signal instance of an assignment later in the century see Dawn, 532. Of a Subsidy of £81,201 13s. 9d. the bulk is paid by assignments to foreign creditors, only £2,393 reaching the Exchequer and the Wardrobe between

The reader will see the difficulty of arriving at a full account of any year's revenue, and the reserve with which all our conclusions must be offered.

The Pell Issue Rolls were also kept in triplicate; their arrangement being in all respects conformable to that of the Receipt series. As neither of them were audited, their totals never balance; but they approximate so nearly that the total of the one might be taken as a fair indication in round numbers of the total of the other.

For the Pell Receipt and Issue Rolls of the reign so far as extant we have taken the transcripts made by Mr. Whitwell.<sup>1</sup>

In connexion with both the Pell Issue and Receipt Rolls the student may feel mystified by the appearance—generally towards the end of a term—of cancelled entries, with other entries interpolated, these being marked as *mutuum per taleas cancellatas*. The explanation is as follows. Towards the end of the term the Exchequer might run short of money, and a creditor who had obtained tallies in his favour on some branch of the revenue might be induced to forgo his claim for a time. The tallies in his favour are cancelled; he gets fresh tallies for part payment; while the balance is entered to him as a loan to be repaid in course of time. To take an actual instance as worked out by ourselves in connexion with a later reign. In the year 1440 a sum of £1,231 18s. 9d. was due to John Neville for wages of the garrison of Carlisle. He obtained an order for payment, and on the 20th February in that year<sup>2</sup> fourteen sums from the Customs of Boston and Hull, making up the £1,231 18s. 9d., are marked on the Receipt Roll “*Pro J. Neville*”, and marked on the Issue Roll as paid to J. Neville. But in fact he was only allowed to take £831 18s. 9d. The original entries are therefore cancelled, £831 18s. 9d. are entered as paid, while on the Receipt Roll the £400 left owing are credited to Neville as a loan to the King “*Mutuum per taleas cancellatas*”.

In May 1443 Neville appears on the Rolls as receiving £400, £20 in cash and £380 by tallies on the Customs. But four of them. See the remark of Sir John Fortescue, that ‘a poor man would rather have 100 marks (£66 13s. 4d.) in cash than £100 by way of assignment “wich peradventur shall cost hym right muche or he can gete his payment and peradventur be never paid thereof”’; Lancaster and York, II. 263.

<sup>1</sup> Eng. Hist. Rev. XVIII. 710.

<sup>2</sup> 18 Henry VI.

these, making £180, are struck out and re-entered as *mutuum*. On the 21st May 1445 payment in full is once more entered. But again Neville has to be content with £80, £100 being carried on as a fresh loan to be definitely paid off 4th December 1427, eight years after the original "*Allocate*" had been issued.

## I HENRY III

1216-1217. Never were the guardians of an infant Prince placed face to face with greater seeming difficulties than the friends of young Henry III at the death of King John. Eighteen months of civil war had wasted town and country from the Isle of Wight to the banks of the Forth. A competitor for the Crown, accepted by the bulk of the baronage, was established in the South; while a few days later the surrender of the Tower would complete his hold on the capital. But Louis, feeble and impolitic, was not the man to win a crown; his cause was bound to sink when no longer propped up by the crimes and blunders of his opponent. John throughout had played his adversary's game for him. Young Henry, on the other hand, had on his side the unequalled tact and judgment of the great Earl of Pembroke, William Marshal, the sentiment of hereditary right, and the Papacy. Moreover, the great majority of the more important castles were held for Henry by his father's mercenaries—a material point when war was a matter not of battles, but of sieges.

John had passed away on the 19th October (1216). On the 28th of the month Henry was hastily crowned in Gloucester Cathedral, having previously been knighted by the Earl Marshal. Even a boy of nine years could not be accepted as King unless he had been duly dubbed. The appointment of a Regent was the next thing to be done. By constitutional theory the office would belong to the Chief Justiciar, Hubert de Burgh. But he was shut up in Dover Castle, blockaded by Louis. A man clearly pointed out for the Regency was the Earl of Pembroke. With some hesitation on the score of his age, being probably about seventy years old,<sup>1</sup> he accepted the duty. But to set his

<sup>1</sup> Dawn of the Constitution, 3, note.



hands free for military operations, he asked that the charge of the young King's person should be left with the martial Bishop of Winchester, Pierre des Roches; while the interests of the Pope as suzerain would be represented by Legate Gualo, a timely concession that the death of Innocent III enabled the Papacy to make.<sup>1</sup> Innocent was committed to utter rejection of the Charter. Honorius was not. But in all other respects he had taken up Henry's cause most energetically.

The Regent hastened to proclaim the fact that amnesty and justice would be the key-notes of his policy. On the 6th November a Grand Council was held at St. Paul's, when seemingly a fresh issue of *Magna Carta* was published, accompanied by a boon of scarcely less importance to the landed interest, namely a Forest Charter, disafforesting all Forests created in the last two reigns, and cutting down those created by Henry II to their proper limits. Certain articles, however, were omitted, and notably those that forbade the King to raise the County farms or levy scutages or Aids other than the regular Three without the consent of the "*Commune Consilium regni*".<sup>2</sup>

Meanwhile the Legate laid all districts adhering to Louis under Interdict, leaving the Regent to pursue the "simple but difficult policy of conciliation", endeavouring to win support for the young King by tact and management. But the Runnimede barons did not leave themselves open to any charge of weakness or inconsistency, and active hostilities were pressed by them on all sides. On the 14th October De Burgh, the Justiciar, had signed articles for the surrender of Dover, if not relieved by a certain day. On the 6th November the Tower was placed in Louis' hands. In Sussex, however, the guerrilla William Vaux of Collingham stirred the men of the Cinque Ports to raise the Royal standard. Louis marched against them, but was reduced to great straits, till a fleet came to the rescue and carried him off to France, never again to have the same goodwill of the barons as before.<sup>3</sup>

The breathing-time given by Louis' disappearance proved invaluable to the Royal cause. Two days after his departure the Earl of Salisbury and the younger Marshal joined the

<sup>1</sup> Innocent III died 16th or 17th July 1216; Honorius III was crowned 27th July following.

<sup>2</sup> Dawn, 4.

<sup>3</sup> See Dawn, 5, 6, 7.



Regent, the first real accessions to the party. A series of castles were now recovered; while, better still, men of high and low degree pressed forwards to be fully and freely pardoned and reinstated. The Regent thought himself strong enough to call for a carucage of 2s. on the hide of 120 acres; that is to say, from such of the party as had anything to give.<sup>1</sup>

But the end had not been reached. On the 22nd April 1217 Louis returned with a considerable force and started on a tour of devastation, driving the Royalists to take refuge at Nottingham.

Meanwhile the barons had marched off to reduce the castle at Lincoln, held for Henry by Nicolaa de la Haye, the hereditary Constable, against the assaults of Gilbert of Gant, who was established in the city. Bound to succour the heroine of the party, Pembroke called for a general muster to assemble at Newark on the 15th May (1217). Making a wide circuit round the west side of Lincoln, the Royalists attacked the city from Newport gate, facing the open plateau to the North, the only side from which the city could be attacked. Then effecting a junction with their friends in the castle, they fairly drove the enemy headlong down the High Street to the narrow bridge that crosses the Witham, and so on and on into the narrow street of the Wigford suburb. But the outlet there was barred by a swing door of a peculiar construction; a cow had got wedged in the door, and till she was removed the door could not be opened. Of prisoners there was a perfect haul taken. The ensuing sack of the city gained the action the name of "The Fair of Lincoln".<sup>2</sup> It was a signal victory, but even so the end was not yet. On the 24th August a last reinforcement for Louis was dispatched from Calais, with some 100 picked men-at-arms. Hubert de Burgh, who was in command at Dover, put out to sea as soon as the enemy hove in sight, and, after a stiff fight, gained a complete victory, capturing the flagship with all the chivalry on board.

This success was decisive. Louis found himself forced to treat. On the 11th September a treaty was signed at Lambeth, on very easy terms, the Regent being still chiefly anxious to get Louis out of England. But Henry was called upon for 10,000 marks for Louis' "Expenses", an early instance of an "Indemnity".

<sup>1</sup> Dawn, 7.

<sup>2</sup> 20th May 1217. See Dawn, 9-11, and the plan there.

The money in the first instance had to be borrowed from merchants at Saint-Omer, so that the reign of Henry III began with borrowing.<sup>1</sup> On the 28th September, apparently, the French Prince left England never to return. Early in the year a carucage at the rate of 2s. the hide was called for, as already mentioned, but the return has not been recorded.<sup>2</sup> Late in the year (1217) the Regent held an Audit, when the sheriffs were called to account for their receipts for a half-year before the war, namely from Michaelmas 1214 to Easter 1215. The resulting Pipe Roll was labelled 17 John. No Roll was compiled for the first year of Henry's reign, the Roll 1217-1218 being headed the 2nd of Henry.

## 2 HENRY III

1217-1218. To meet the Indemnity a Grand Council held on the 20th October voted a scutage or Aid of two marks the knight's fee; writs for tallages on the boroughs and the Royal demesnes were issued in November. With the devastated state of the country the scutage brought in £2,818 and the tallages £1,075 6s. 8d. An Aid was also asked of all the knights in Ireland, and a tallage levied on the King's demesnes there. A contribution from the Sister Isle is a fact to be noted. Two thousand marks had been asked from La Rochelle and Bordeaux.<sup>3</sup> The prelates had already been ordered by the Pope to contribute to the needs of the King.

After more than two years of disruption and civil war England was again at peace. The question was what use was the Government to make of the victory, which was complete. The whole administration of the country was still in the hands of John's sheriffs, John's constables, and John's mercenaries. But the Regent persevered in his wise policy of conciliation. The Lincoln prisoners were promptly liberated and reinstated. The King

<sup>1</sup> Wool and leather were delivered to meet the advances; 100 lasts of leather and 100 sacks of wool were delivered as against £1,333 6s. 8d.; Mitchell, 125. How the leather and wool were procured does not appear.

<sup>2</sup> Mitchell, 122, from Close Roll.

<sup>3</sup> Id. 125-129.

was taken to London and received wholesale homages. On the 6th November a Grand Council was held at St. Paul's and a second reissue of *Magna Carta* was published with further amendments, with which *Magna Carta* assumed its final form. "Although frequently republished and confirmed the text is never again materially altered."<sup>1</sup>

By the month of May 1218, when Stephen Langton came back to resume his archiepiscopal functions, England might seem to have settled down to its normal condition. But the state of the country was still far from normal, disputes and proceedings as to lands wrongfully occupied during the war were still rife, while John's lawless creatures, Fawkes de Bréauté, Pierre de Maulay, Ralph Musard, and Philip Marc,<sup>2</sup> with the sherifffdoms and castles held by them, were a constant trouble to the Government.

The scutage exacted from clergy and laity alike, at two marks the knight's fee, was assessed at about £8,000, but only yielded £2,815 6s. 8d. Tallages also to the amount of £1,075 6s. 8d. were also laid on the demesnes.<sup>3</sup>

No Audit was held in 1218, and no Pipe Roll compiled. From Pipe Roll 61, "17 John", we pass to No. 62, 3 Henry III.

### 3 HENRY III

(Pipe Roll, No. 62)

1218-1219. With the third year of the reign the Judicial circuits resumed their course.<sup>4</sup> But the Government, when issuing their commissions to the Judges, felt bound to warn them that as ordeals had been condemned by the recent Lateran Council, (the Fourth, 1215) no further recourse to that primitive test could be allowed.<sup>5</sup>

The event of the year 1219 was the death of the Regent (13 May). No fresh Regent was appointed, the office being allowed to devolve in the regular course of things on Hubert de

<sup>1</sup> Bishop Stubbs, *Const. Hist.* II. 26.

<sup>2</sup> For details of these men see Turner, *Minority of Henry III*, *Royal Hist. Soc. N.S.* XVIII. 250.

<sup>3</sup> Mitchell, 125, 128, from the Close Roll.

<sup>4</sup> Foss, *Judges*, II. 192. The fullness of Mr. Foss's book from this point relieves us of the need of giving details of the Iters.

<sup>5</sup> Dawn, 19.

Burgh, the Chief Justiciar. But the Bishop of Winchester managed to retain the guardianship of the King's person, while Pandulf, the Papal Legate, lorded it over both. Honorius III understood John's surrender as giving him an unlimited right of interference in all matters English, whether foreign or domestic.<sup>1</sup> No special taxes were imposed, and in consequence the revenue on the Pipe Roll only reaches the modest sum of £16,506 13s. 10d. But under the more developed financial system of the reign, and the institution of regular Wardrobe Accounts, taking an average of later years we should add, say, a further £5,000 for the King's Wardrobe.

Our account therefore will stand thus :

	£	s.	d.
Exchequer Receipts . . . . .	16,506	13	10
King's Wardrobe . . . . .	5,000	0	0
	<hr/>		
	21,506	13	10
	<hr/>		

#### 4 HENRY III

(Pipe Roll, No. 63)

1219-1220. On the 17th May 1220 Henry was re-crowned, as if to reassert his position and cheer the nation by the sight of a festive pageant after years of confusion and misery. In June the King was taken to York to discuss the question of a matrimonial alliance with Scotland; the negotiations resulted in a treaty by which Henry undertook to marry his eldest sister Jeanne to Alexander II (15 June). From York the King's retinue was taken to reduce Rockingham Castle, a fortress held in defiance of the King by William of Forz de Oléron, titular Count or Earl of Aumâle or Albemarle, a continental baron of the worst type. Unstable as water, he had been the last to join the Runnimeade barons and the first to desert them; rewarded for his devotion by the confidence of the Government, he had been thoroughly troublesome and disloyal ever since John's death. Sauvey as well as Rockingham had been fortified by him in defiance of orders. Ill-prepared and taken by surprise,

<sup>1</sup> Dawn, 19, 21. For events following the Regent's death see the account given by his follower John of Erly in G. C. Mareschal; Turner, sup. 292.

both places yielded. But the weakness of the Government is shown by the fact that the rebellious Earl was able to attend the Christmas Court at Oxford.<sup>1</sup>

In honour of the King's re-coronation and in view of the general needs of the Government a carucate of 2s. on the plough-team in actual work was granted. As the yield is found to have reached £5,483 11s. 2d.,<sup>2</sup> more than we ever found for Danegeld, the old hidage at the same rate, it is clear that the assessment after all had been raised.

	£	s.	d.
Exchequer Receipts (Pipe Roll, No. 63) . . . . .	22,144	19	4
King's Wardrobe, say . . . . .	5,000	0	0
	<hr/>		
	27,144	19	4
	<hr/>		

## 5 HENRY III

(Pipe Roll, No. 63)

1220-1221. From attending Court at Oxford, the incorrigible Aumâle went down to Lincolnshire to victual and fortify his castle at Bytham, his action being understood to have the support of the notorious adventurers Fawkes of Bréauté, Philip Marc, and Engelard de Cigogné.<sup>3</sup> We hear of attempts on Newark, Sleaford, and Kimbolton, while Fotheringay, a fortress in the King's hands, was seized. Pandolf and the bishops fulminated anathemas; but the Earl of Chester, Randolph de Blondeville, just come home from the Crusade, and the young Earl of Pembroke, Richard Marshal, came forward to insist on action. Troops were called out, and a modest scutage of 10s. the knight's fee was called for. On the 3rd February 1221 the Royal batteries were unmasked against Bytham; in five days the place succumbed. But the arch-offender was allowed to gain pardon by undertaking a pilgrimage to Holy Land.

A most important resumption of castles in private hands followed. Pembroke was invited to surrender the ancestral holds of Marlborough and Ludgershall with the offer of the hand

<sup>1</sup> Dawn, 22-23.

<sup>2</sup> *Rotulus Computarum*, 5-8 Henry III (fragment of a Pipe Roll).

<sup>3</sup> For notices of these men see Turner, sup. 248, &c.



of the King's sister Eleanor. Peter de Maulay was turned out of Corfe Castle; Engelard of Cicogné was made to give pledges for the delivery of Windsor Castle, when demanded. Bristol was placed in the hands of Gilbert II of Clare, Earl of Hertford, afterwards Earl of Gloucester. A Royal progress to York for the marriage of the King's sister to Alexander enabled the Government to make sure of the castles of Oxford, Northampton, Nottingham, Bolsover, and the Peak.

On the 18th or 19th June Jeanne was married to Alexander. At the same time Hubert de Burgh, in recognition of his great services, received as his fourth wife the hand of the Lady Margaret, sister of the Scottish King.<sup>1</sup>

Except as an illustration of the times, a private war in Wales, as such it was regarded, between Llewelyn on the one hand, and Pembroke and Reginald de Braose of Builth on the other hand, need not trouble us.

With regard to the revenue, for the siege of Bytham a scutage of 10s. on the knight's fee was levied; the yield was returned as £80 16s. 2d.<sup>2</sup> But as was usually the case, the amount would mostly figure in the next year's revenue, scutages being assessed in the time of the war, but paid in in the ensuing twelvemonth. Our total revenue amounts to £19,852 7s. 10d., without the King's Wardrobe, the direct receipts of which we again estimate at £5,000.

Revenue :

	£	s.	d.
Exchequer Receipts . . .	19,852	7	10
King's Wardrobe, say . . .	5,000	0	0
	<hr/>		
	24,852	7	10
	<hr/>		

We also append an analysis. Our Table shows the landed revenues as yielding two-thirds of the amount. The legal penalties come to a considerable sum, but the fines are moderate; so is the yield from Sees in hand. The Jews again are handsomely mulcted of their usurious gains. But we miss all returns from Customs or the Tower Mint and Exchange. These must have been paid in privately to the King's Wardrobe, the accounts of which are as yet not forthcoming.

<sup>1</sup> See Dawn, 25-27.

<sup>2</sup> Mitchell, 136.

TABLE XII. ANALYSIS OF REVENUE OF 5 HENRY III  
MICHAELMAS 1220-1221

From Pipe Roll, No. 64

	£	s.	d.
(1) Landed returns, including County and Borough Farms, Cornage, Honours in hand, Escheats, Purprestures, Pannage of Hogs, Turbary, Sales of Timber . . . . .	14,635	12	2
(2) Fines, including payments for Relief (admission to successions), Wardships of Minors, Marriages of heiresses, &c., &c. . . . .	966	10	3
(3) <i>Misericordiae</i> (Legal Penalties) . . . . .	1,471	14	8
(4) Sees in hand . . . . .	496	10	8
(5) Scutage (arrears) . . . . .	431	19	0
(6) Tallage . . . . .	484	3	4
(7) Debts of Jews . . . . .	688	10	0
(8) Sundry . . . . .	676	7	10
	19,851	7	11

## 6 HENRY III

(Pipe Roll, No. 65)

1221-1222. The most important event of the twelvemonth was a Provincial Synod held on the 27th April (1222) at Osney, near Oxford, by Langton, now in the full and free exercise of his authority as Archbishop, relieved of the presence of the Legate Pandulf who had retired. The decrees of the Fourth Lateran Council were published, with additional Canons for the regulation of the English Church.<sup>1</sup>

In the way of taxation a novelty was witnessed in the shape of a call for a graduated poll-tax for an Aid for Holy Land. Each earl was to pay three marks; each baron, one mark; each knight, one shilling; each free tenant, a penny; any one without land but having chattels to the value of half a mark, one penny. In each township the tax would be assessed and collected by the chaplain, the officers (*servientes*) of the lord, and two legal men of the township. In cities and boroughs the work would be done by two legal citizens; the receipts to be sent to the Temple in London. We are told that the tax met with strenuous opposition; and that fresh writs had to be issued declaring payment to be voluntary (*Sine districtione*).<sup>2</sup> Nevertheless the Pipe Roll presents us with the surprising total of £33,443 17s. 3d.,

<sup>1</sup> Wilkins, *Concilia*, I. 585.<sup>2</sup> Mitchell, 141.

a sum that suggests that part of the poll-tax, at any rate, must have found its way into the Exchequer.

Revenue :

	£	s.	d.
Exchequer Receipts . . . .	33,443	17	3
King's Wardrobe, say . . . .	5,000	0	0
	<hr/>		
	38,443	17	3
	<hr/>		

## 7 HENRY III

(Pipe Roll, No. 66)

1222-1223. The year 1223 witnessed another Welsh rising. At the expiration of a truce negotiated with the March Lords in 1221 the indomitable Llewelyn was up again, being in communication with English malcontents. A Royal army had to be called out, but found itself beset with the usual difficulties encountered by heavy cavalry operating in hilly country. The Welsh Prince, however, committed the mistake of attacking Kinnersley Castle in Shropshire, a castle in the King's own hands. For this attack on a man under special Papal protection he was excommunicated by Langton. This blow brought him to his knees. On the 8th October he met the King at Montgomery, and made full submission. For the expedition a scutage of two marks (£1 6s. 8d.) the knight's fee was called for. But as most of the baronage had been in the field the money yield only came to £455 10s. Tallages, however, for the general needs of the Government had been levied earlier in the year. The amount called for was 4,680 marks. If fully paid, a matter of doubt, the yield would total £3,120.<sup>1</sup>

The Pipe Roll shows the moderate return £26,904 7s. 5d.

Revenue :

	£	s.	d.
Exchequer Receipts . . . .	26,904	7	5
King's Wardrobe, say . . . .	5,000	0	0
	<hr/>		
	31,904	7	5
	<hr/>		

<sup>1</sup> Mitchell, 144, 148.

## 8 HENRY III

(Pipe Roll, No. 67)

1223-1224. On the 1st October (1223) Henry completed his sixteenth year, an age at which Royal Princes were commonly knighted and declared of age. In view of the event de Burgh had procured letters from the Pope declaring the King of age and able to act for himself.<sup>1</sup> Many magnates had been evading call for the surrender of castles, under the pretext that they were keeping them for the King till he should come of age. De Burgh's calls for surrender led to a final trial of strength between him and the elements of disorder. A call to Walter de Lacy for the yield of Hereford Castle brought all malcontents into the field. Fawkes of Bréauté, who hitherto had been the Justiciar's right-hand man, joined the mutinous lords. Langton quieted matters by proclaiming a truce till after Christmas. The King's Christmas Court was attended by overwhelming numbers; and next day Langton and the bishops once more excommunicated all disturbers of the realm. Yielding to this combination of spiritual and physical pressure, on the 29th December (1223) the disaffected barons gave in their submission. Next day Letters Patent were sealed requiring five-and-twenty castles to be handed over to new keepers. Fawkes, however, John's favourite, maintained a most defiant attitude, refusing to part with either Bedford or Northampton; while Carisbrooke, Christchurch Hants, and Plympton also were in his hands. Further, as sheriff he had the control of no less than seven Midland counties. But for an audacious outrage he might have kept the Government at bay indefinitely.<sup>2</sup> At Assizes held in June (1224) at Dunstable by Justices in Eyre, judgment had been given against Fawkes in no fewer than sixteen actions for wrongful occupation of land or the like. Thereupon his brother William, Constable of Bedford under him, pounced down and carried off one of the Justices, Henry of Braybroke, as a hostage. Siege was immediately laid to Bedford; but the place had been so strongly fortified, garrisoned, and victualled, that for eight weeks it defied all the resources of the country. The place was literally taken by inches,

<sup>1</sup> Foedera, I. 171.<sup>2</sup> Dawn, 33-35.

in successive assaults. True to the ways of the time, Fawkes's wife was found in command. He himself had already surrendered. On the 26th October he was allowed to leave England ' penniless as he had entered it '.<sup>1</sup>

For the siege of Bedford liberal grants had to be made. The clergy granted under the name of an ' Aid ' a carucage of 6s. 8d. on each hide in demesne, and 2s. from tenants' lands, with the services of two men from each hide to work the engines. The Government called for a scutage of two marks (£1 6s. 8d.) on the knight's fee, while the Council, to balance the clerical grant, voted a carucage of 2s. on the hide from tenants not liable for military service.<sup>2</sup> The lay carucage yielded £2,376 14s. 2d.<sup>3</sup> As most of the barons had been in the field, the scutage was long in coming in, and would not yield much. An account of the cost of the siege gives the total as £1,311 18s. 2d.<sup>4</sup> On the Pipe Roll we have the moderate return of £24,045 12s. 11d. But to this we have to add the Receipts paid into the King's Wardrobe, of which we now hear for the first time, amounting to £5,200, £200 more than the sum that we have been allowing. The year's total then will stand thus :

	£	s.	d.
Pipe Roll . . . . .	24,045	12	11
King's Wardrobe . . . . .	5,200	0	0
	<hr/>		
	29,245	12	11
	<hr/>		

## 9 HENRY III

(Pipe Roll, No. 68)

1224-1225. So far in the reign we have been concerned with domestic affairs only. Foreign relations now come forward again. A truce negotiated with Philip II in 1220 had expired on the 28th March 1224.<sup>5</sup> Philip himself had passed away 23rd July 1223.<sup>6</sup> His son and successor, Louis VIII, profiting by the disturbed state of England, invaded Poitou in force, and promptly reduced all the territory to the line of the Garonne,

<sup>1</sup> Dawn, 33-37.

<sup>2</sup> Wendover, IV. 99; Dawn, 36, 37.

<sup>3</sup> Mitchell, 159.

<sup>4</sup> Id. 157, 159.

<sup>5</sup> Angevin Empire, 22.

<sup>6</sup> Dawn, 31, 38.



only Bordeaux, Bayonne, and Gascony still remaining to the English. The state of affairs in Aquitaine was laid before the magnates assembled for the Royal Christmas Feast, held at Westminster (1224), when a provisional consent to a money grant was obtained. The details were settled in a Grand Council held on the 2nd February 1225, when clergy and laity agreed to a grant of a Fifteenth of movables, in consideration of a fresh re-issue of the two Charters, *Magna Carta* and the Forest Charter of 1217. This confirmation was demanded on the score of the King's now being deemed of age. The writ for the collection of the tax seems to have been devised so as to unite all the expedients of the former precedents, namely, the Saladin Tithe, the barons' Seventh of 1203, and the Thirteenth of 1207. The assessment is again to be made by the oath of each man taxed; disputes to be settled by reference to juries of twelve; the proceeds to be collected by the reeve and four good men of each township, and to be paid to four elected knights of the Hundred, and these again are to hand over the money to commissioners appointed by the King. The clergy of course claimed special arrangements of their own. Even the Cistercians and Premonstratensians were taxed, but at lower rates, while extra sums were extorted from the Jews. From the Patent Roll we find that practically the tax was only levied on farm produce not to be consumed on the premises, and goods for sale. Not only are all weapons, jewellery, furniture, books, riding horses, and farm horses exempt, but even all stores in larder or cellar. So with regard to the slender stock of the agricultural villein. The Red Book of the Exchequer tells us that the tax brought in £57,838 13s. 6d.<sup>1</sup> The money was regarded as a special fund for the expenses of the war. If the Justiciar wished to apply any of it to other purposes he had to promise to repay it, an arrangement that we shall find honestly adhered to.

With all this money in hand an expedition to Aquitaine could be fitted out without any disagreeable call for service abroad. The King's brother Richard, who had just completed his sixteenth year, was selected to act as ostensible leader; and to fit him for the post he was knighted and created Earl of Cornwall and

<sup>1</sup> Red Book, III. 1064; Select Charters, 345; Dawn, 39, 40, and for further details, Mitchell, 160-168.

Poitou. His great-uncle William Longsword, Earl of Salisbury, would be his chief military adviser. On the 23rd March (1225) they sailed with the modest force of 77 men-at-arms, knights or esquires. In due course they landed at Bordeaux, La Rochelle being no longer open to them. The reduction of La Réole in Gascony, not effected till November, was their chief accomplishment. The capture of Bergerac on the Dordogne may be taken to mark the northernmost point of the territory brought under English control.<sup>1</sup>

The reinforcements sent out were, as usual, on a modest scale, mercenaries being more easily recruited abroad than at home. But Richard's military chest was kept well supplied. Between the 15th June 1225 and August 1226 nearly £36,000 were either sent to him, or paid directly to soldiers, or to merchants for money borrowed. With the proceeds of the Fifteenth the revenue of the 9th year reaches the unprecedented sum of £92,284 11s. 4d.

The figures stand thus :

	£	s.	d.
Exchequer Receipts (Pipe Roll, No. 68) . . . . .	29,245	18	10
King's Wardrobe, say . . . . .	5,200	0	0
Fifteenth . . . . .	57,838	13	6
	<hr/>		
	92,284	12	4

As the domestic expenditure (Exchequer and King's Wardrobe) only amounted to £34,245 1s., it is clear that the yield of the Fifteenth was not touched.

## 10 HENRY III

(Pipe Roll, No. 69)

1225-1226. The tenth year of the reign proved a quiet twelvemonth, chiefly occupied with ecclesiastical affairs. A Papal Nuncio, the Archdeacon Otho, accredited to plead for the rehabilitation of Fawkes, presented a request for the placing of a considerable slice of the revenues and preferment of the English Church at the disposition of the Holy See. Honorius asked for a prebendal stall in each cathedral church with

<sup>1</sup> Dawn, 40.

corresponding concessions from monastic and episcopal estates. It would seem that eventually a Provincial Synod was held in London on the 4th May (1226), and that a resolution was passed to the effect that the matter concerned the lay patrons, as well as the clergy, and that no answer could be given without the voice of a General Council. Somewhat oddly the year (1226) ended with a grant to the King by the inferior clergy of a Sixteenth of their ecclesiastical revenues, under orders from Honorius. He had probably called for the contribution to secure Henry's assent to the grant of the prebends; the clergy paid it to reward the King for his help in resisting it.<sup>1</sup> The produce does not seem to have been recorded. The sum of 1,000 marks entered as received from the Cistercians may have been a payment on account of the previous year.

An unexplained transaction of which we learn from the Patent Roll was a liability of the King to the executors of William Longsword, Earl of Salisbury, in a sum of 4,000 marks. Two thousand marks have been paid, and Henry pledges himself for payment of the balance. The Earl had died in March on his return from serving with the Earl of Cornwall in Gascony, and the King's owings to him may have been for military expenditure. But the curious thing is that the Earl owed the King 500 marks for wardship of Hugh Bigod sold to him.<sup>2</sup>

For the revenue :

	£	s.	d.
For Exchequer Receipts we may allow, say .	24,000	0	0
King's Wardrobe, say . . . . .	5,200	0	0
	<hr/>		
	29,200	0	0
	<hr/>		

<sup>1</sup> Dawn, 42, 43; Cal. Pat. Roll 10 Henry III, 64.

<sup>2</sup> Dawn, sup. Complete Peerage.

## 11 HENRY III \*

(Pipe Roll, No. 70)

1226-1227. On the 8th November (1226) Louis VIII was gathered to his fathers. Three weeks later (29 November) his son Louis IX was hallowed at Rheims. The gathering of course was a brilliant one, but some of the great feudatories showed a discontented attitude, complaining of 'grievances'. The hopes of the English began to rise. The Archbishop of York, Walter Gray, and Walter Mauclerc, Bishop of Carlisle, were sent over with large offers to enlist allies; but the energy of the heroic Queen-mother, Blanche of Castile, frustrated all attempts at a coalition. On the 22nd March a truce to the 8th June 1228 was signed with England, and the Earl of Cornwall was brought home.

Meanwhile the King had nominally taken the reins of government into his own hands. In October he had completed his twentieth year. At a Grand Council held at Oxford between the 8th and the 10th days of January (1227) he declared himself of full age. What increased freedom of action he would gain by this step does not clearly appear, as no limits had been put on his authority by the Papal Letters of 1223, or those of the new Pope Gregory IX<sup>1</sup> confirming the same. Probably Henry acted by the advice of de Burgh in getting rid of the Bishop of Winchester, who had had charge of the King's person from the first, and probably had as much influence with him as any one. But the King was induced to believe that he could do better without him. So Peter des Roches again went off to the Crusade, while Hubert remained to rule England for five years more as supreme Minister of the Crown and Earl of Kent.<sup>2</sup>

Although the Sixteenth from the clergy was coming in, the King's majority was made an excuse for calling in all charters for resealing, a mean device by which a moderate sum of money was raised; the total assessed in the year came to £3,791; but only some £2,000 were paid up.<sup>3</sup> Tallages also were levied for

<sup>1</sup> Enthroned 19th March 1227; H. Nicolas.

<sup>2</sup> Created 11th February 1227; Doyle, *Official Baronage*; Dawn, 44-46.

<sup>3</sup> Fine Roll 11 Henry III compared with Pipe Roll of the year; Dawn, 47.

the war in Poitou. Of about £6,000 assessed, £2,746 12s. 4d. were laid upon London, the citizens being assessed *per capita*.<sup>1</sup> But the total shown on the Pipe Roll does not seem to represent anything like that amount. We also have a carucage to the amount of £467 7s. 6d. laid on the Bishops of Bath and Winton, their demesnes and tenants.<sup>2</sup>

Revenue :

	£	s.	d.
Exchequer Receipts (Pipe Roll, No. 70) . . . . .	24,241	19	2
King's Wardrobe, say . . . . .	5,200	0	0
	<hr/>		
	29,441	19	2
	<hr/>		

## 12 HENRY III

(Pipe Roll, No. 71)

1227-1228. In July 1228 England lost the great Primate to which she owed so much, Stephen Langton, the scholar, statesman, patriot, and divine, the churchman who could do battle for lay rights. He passed away on the 6th or 7th of the month. The filling of the vacancy led to the usual struggle between the monks and the King. Eventually Gregory IX appointed Henry's nominee, Richard of Wethershed, Chancellor of Lincoln, surnamed for his stature "*Le Grant*". No form of canonical election was thought necessary.<sup>3</sup>

In August another Welsh war broke out. The English garrison at Montgomery having attempted to open up a road on Welsh territory, the natives flew to arms and besieged the English in their castle. King and Justiciar came to the rescue, and attempted to establish a new fort at Kerry, five miles from Montgomery. The attempt failed, and Henry had to retire on receiving an apology from Llewelyn, with a fine of 1,000 cows, a moral victory for the Welsh (August-September).<sup>4</sup> After the King's return writs were issued for a scutage of two marks on the fee, to be paid in December and January of the 13th year. The entire yield is given as £1,800.

<sup>1</sup> Mitchell, 172, 173.

<sup>2</sup> Cal. Pat. Roll 11 Henry III, 95.

<sup>3</sup> Dawn, 49, 52. Richard was consecrated 10 June 1229; *Reg. Sacrum*.

<sup>4</sup> Dawn, 48, 49.



For the revenue we may take for the Exchequer Receipts £22,000, a little less than last year; for the King's Wardrobe, £5,200 as before.

	£	s.	d.
Exchequer Receipts . . . . .	22,000	0	0
King's Wardrobe . . . . .	5,200	0	0
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	27,200	0	0
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## 13 HENRY III

(Pipe Roll, No. 72)

1228-1229. As his recompense for the appointment of the King's nominee to the See of Canterbury, Gregory claimed the King's assent to the levy of a Tenth from clergy and laity alike; and that, not now for Holy Land, but for the Pope's private war against Frederick II. The demand was formally laid before a Grand Council held at Westminster on the 29th April 1229, by the mouth of a Papal Nuncio, the chaplain Stephen. When he sat down, the King, by his silence, seemed to indicate assent to the Pope's request. The lay barons, left to fight their own battles, stood firm, refusing to subject their estates to the domination of the See of Rome. The bishops and abbots, less able to face the terrors of the ecclesiastical censures threatened by the Nuncio, after three or four days of struggling, submitted. The money was exacted with unprecedented stringency, being levied not only on all rents and movables, but even on tithes and offerings, pure spiritualities.<sup>1</sup> Randolph Earl of Chester, however, taking the clergy under his wing, boldly refused to allow the Papal tax-gatherer to enter his Palatinate.<sup>2</sup> To facilitate the raising of the money, the Nuncio had brought foreign money-lenders, prepared to give financial assistance on suitable terms: a beginning of the money dealings with Italy that culminated in the bankruptcy of Edward III.

Another matter that must have been laid before the magnates

<sup>1</sup> See the chroniclers cited, Mitchell, 177. But the learned Professor clearly goes too far in saying that the actual value of property was charged. See Burton, *Annals*, 365.

<sup>2</sup> Dawn, 53.

was the state of relations with France, when the truce would expire on the 22nd July. Gascons and Normans were pressing Henry to come over. But de Burgh advised the King to begin with peaceful overtures. Accordingly envoys were duly accredited and sent out. But their efforts having failed, an expedition was resolved upon at a Council held at Northampton in July, and writs were issued for a muster at Portsmouth in October.<sup>1</sup>

Of course the King got nothing of the Papal Tenth; but the proceeds of the scutage of Kerry or Montgomery, assessed the year before, would be available. The barons, however, having been extensively called upon for service in person,<sup>2</sup> the tax only yielded £1,800; but with that we may take a revenue rather higher than that of the previous year. For the King's Wardrobe we still take the last recorded sum.

	£	s.	d.
Exchequer Receipts, say . . . . .	24,000	0	0
King's Wardrobe . . . . .	5,200	0	0
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	29,200	0	0
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## 14 HENRY III

(Pipe Roll, No. 73)

1229-1230. The expedition to France called for in October, having been planned on an extensive scale, underwent great delays from want of shipping, and had to be adjourned to Easter (1230). We are told that the barons attended in great force, a remarkable circumstance considering their usual aversion to foreign service. A scutage at 2 marks the fee was again voted by the laity. But the clergy, adhering to the principle of non-liability for foreign service enunciated by St. Hugh of Lincoln in 1197,<sup>3</sup> agreed to give the marks, not as scutage, but as an 'Aid' or voluntary contribution. Heavy tallages also were imposed. From some men fines "*ne transfretent*" were exacted, but only in lieu of scutage.

A preliminary muster was held at Reading at Easter (7 April

<sup>1</sup> Mitchell, 181, citing Close Rolls, I. 248.

<sup>2</sup> Mitchell, 174.

<sup>3</sup> See Angevin Empire, 355, and above 223.

1230). Among those who placed their swords at the King's disposal was a young man whose career was destined to be fatefully linked with his own, Simon of Montfort the younger. Henry accepted Simon's offer with alacrity, giving him the handsome pension of 400 marks a year until the earldom of Leicester could be conferred upon him.<sup>1</sup> On the 30th April the force sailed from Portsmouth, and in the course of a day or two landed in Brittany. The Duke, Peter Mauclerc, having broken with Louis, was there to receive them. He conducted Henry to Nantes, where the King remained all June, and in fact till the forces collected by Queen Blanche had dispersed at the end of the legal forty days of service. Henry then crossed the Loire, and moving by easy stages, but making no attempt against Niort, Poitiers, or La Rochelle, reached Pons on the 15th July. The siege and reduction of Mirambeau, between Saintes and Blaye, was the solitary success of the campaign. On the 6th September Henry signed a truce. Returning to Brittany he finally embarked at Saint-Pol de Léon on the 26th October; and two days later, landed at Portsmouth, little raised in the estimation of his subjects.<sup>2</sup>

In September a second scutage for the war, distinguished as the scutage of Poitou, had been granted by the barons in the field, at the usual rate £1 6s. 8d. the fee, but the produce of this again falls to our next year's account.

The scutage of Brittany, as it was called, realized £3,688 11s.; and the concomitant tallages, after the fashion of Henry II, made £3,600; while the Jews were mulcted to the tune of £5,333 6s. 8d.

The revenue rises again :

	£	s.	d.
Exchequer (Pipe Roll) . . . . .	44,873	15	1
King's Wardrobe, say . . . . .	5,200	0	0
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	50,073	15	1
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<sup>1</sup> For Simon's parentage and pretensions to the earldom of Leicester see Dawn, 54.

<sup>2</sup> Dawn, 54-57.

## 15 HENRY III

(Pipe Roll, No. 74)

1230-1231. The King had done his best to keep on good terms with Llewelyn, but this year the Prince found some grievance or excuse for indulging in a raid of unusual extent upon the English possessions in Wales. Entering our Montgomeryshire, he swept like a firebrand through Radnorshire into Brecknock. Entering Gwent he reduced Caerleon to ashes, captured Neath and Kidwelly, and finally advanced to take possession of Cardigan. Henry summoned the bishops to meet him at Oxford on the 30th June to arrange for an excommunication, the proceeding found most effective against the intrepid Lord of Aberfraw. August and September were spent in rebuilding a petty fort in Elveyn, just a step across the border, and then Henry retired. Llewelyn followed hard on his tracks as far as Leominster, where he put the historic priory to the ransom. On the 30th November the victorious Prince condescended to accept a truce for a year.<sup>1</sup>

For the taxation of the year we have first the so-called scutage of Poitou, voted for the war of the previous year, at 2 marks the knight's fee; the yield whereof this year only amounted to £1,593 14s., a balance remaining for next year. Secondly, we have a second scutage at 20s. the fee for the war of Elveyn, which brought in ultimately £1,547 14s. 1d.<sup>2</sup> With these slender extras we can only suggest for the Exchequer receipts £25,000. For the King's Wardrobe, failing fuller information, we will still take £5,200.

	£	s.	d.
Exchequer Receipts, say . . . .	25,000	0	0
King's Wardrobe . . . . .	5,200	0	0
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	30,200	0	0
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<sup>1</sup> Dawn, 53. 59.<sup>2</sup> See Mitchell, 191-197.

## 16 HENRY III

(Pipe Roll, No. 75)

1231-1232. The feeble Welsh campaign was followed by internal events bearing fresh witness to the disjointed and helpless state of the country, due to the weakness of its head, the King, on whom the working of the whole administrative machine still depended. The revenues drawn by Italians from English preferment under Papal Letters of Provision, though destined to become greater, were already considered intolerable. Anti-Italian riots broke out, and Italian clergymen were assaulted and ill-treated. These riots sealed the fate of de Burgh, who, as Chief Justiciar, was responsible for the maintenance of the peace. In the eyes of the King, whose whole trust was in the Pope, no dereliction of duty less pardonable than that of contempt for the authority of the Pope could be conceived.<sup>1</sup>

The King was short of money. He had borrowed abroad during the war, and had pledged himself to large advances to Peter of Brittany.<sup>2</sup> Bitter must have been his disappointment, when, at a Grand Council held in March 1232, a request for a Fortieth was rejected. In the name of the laity Randolf of Chester flatly refused.

Fresh outbreak of trouble in Wales, apparently, served as an excuse for the dismissal of de Burgh. On the 29th July Hubert was deprived of the Justiciarship, Henry proceeding to persecute him with demands for impossible accounts and preposterous charges amounting to high treason; just as his grandfather had endeavoured to ruin Becket.<sup>3</sup> De Burgh was driven to take sanctuary, and held out there the legal forty days. On the 10th November he submitted to the King's terms, and was sent to Devizes.

On the 14th September (1232) a Grand Council was held at Lambeth, and Pierre des Roches, the Bishop of Winchester, succeeded in obtaining the grant of the Fortieth from clergy and laity refused in the spring; the tax to extend to all crops, stock, and movables found on the 23rd September. Again the value was to be assessed by the oaths of four chosen men and the reeve

<sup>1</sup> Dawn, 60, 61.<sup>2</sup> See Mitchell, 199.<sup>3</sup> Dawn, 62-65.



of each township (*villa integra*), in the presence of chosen knights ; the money to be sent up, not to the Exchequer, but to the Temple ; the possessions (*bona*) of the parochial clergy, and all revenues derived by archbishops or others from parochial sources or prebends, to be exempt ; as also all persons not worth 40*d.*<sup>1</sup> The total amount collected between 1233 and 1234 came to £16,475 *os.* 9*d.*, " a less proportionate yield than was received for the Fifteenth ".

With respect to the year's revenue, as the Fortieth only came in later, and the scutage of Elvey only brought in some £800, we must be content with a very modest estimate.

	£	s.	d.
Exchequer Receipts, say . . .	23,000	0	0
King's Wardrobe, once more, say . .	5,200	0	0
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	28,200	0	0
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## 17 AND 18 HENRY III

(Pipe Rolls, Nos. 76, 77)

1232-1233 ; 1233-1234. For our historical sketch the events of these two years must be taken together.

The fall of de Burgh and the advent to power of Pierre des Roches ushered in two years of misgovernment and confusion, soon ripening into civil war, initiated by the King himself. Sweeping changes were made in the administration, natives being turned out to make room for foreigners, while the lands of followers of de Burgh were confiscated without any form of legal proceeding. The victims found a champion in the Earl of Pembroke, Richard Marshal, the finest character of the time, who had succeeded his brother William Marshal (April 1231). Under his leadership the barons adopted an attitude of silent but significant protest, ignoring summonses to attend successive Grand Councils in June, July, and August. Richard came up to Westminster for the last ; but warned that his life would be in danger, he made off by night to Wales. Henry then called for an armed muster to

<sup>1</sup> See Select Charters, 351 ; and for further details, Mitchell, 199 ; Dawn, 59-65.

meet on the 14th August (1233) at Gloucester, and proceeded to lead some Flemish bands, recently imported, to attack Marshal in his castle at Usk. The siege making no progress, the King requested Richard, as a loyal subject, to surrender the place; promising to restore it in a fortnight. The place was handed over. But when the day came no Usk was restored. Desultory war broke out afresh on both sides. Richard recovered Usk, and captured the King's castles of Abergavenny, Newport, and Cardiff; while the King invaded Wales, to suffer an ignominious reverse at Grossmount. Finally, in January 1234 Marshal and Llewelyn crossed the border in force and burned all the country up to and including the town of Shrewsbury. Henry's supporters then advised him to take Marshal in the rear, by raising war against him in Ireland, where he had vast estates. Richard hastened over (February 1234) and, for a time, carried all before him. On the 1st April, however, in a pitched battle on the Curragh of Kildare, he was mortally wounded, and died a fortnight later.

But, happily for England, for the time, a man capable of bringing the King to reason had arisen. On the 2nd April Edmund Rich of Abingdon, a scholar, and a saint destined to attain to the Calendar, had been consecrated Archbishop of Canterbury. His first act was to compel the King to grant a truce to Llewelyn, and an amnesty to Marshal and his followers; going on to summon Henry to dismiss the foreigners and receive his liege men. Des Roches and other foreigners found it convenient to retire from Court. Stephen of Segrave, who had been appointed Chief Justiciar in succession to de Burgh, was dismissed; and with him the office, which had attracted to itself such an amount of patronage and influence as to be dangerous, was prudently allowed to expire, the King taking the reins of government into his own hands.

With regard to the revenues of these linked years, the 17th and the 18th of the reign, we have the Fortieth, to be divided between them, without any statement as to how much fell to either year; we can therefore only divide the amount equally between them. The total being given as £16,475 os. 9d., neglecting pence we can allot £8,237 10s. to each. This, of course, will be in addition to the revenues returned by either Pipe Rolls or

Pells, which, as already explained, do not return the yield of Subsidies, as in fact in the present case we heard that the proceeds were to be sent to the Temple. For the Exchequer Receipts then we hear of tallages laid on the Jewry to the amount of £6,666 13s. 4d.<sup>1</sup> The revenue rises accordingly.

	£	s.	d.
Exchequer Receipts (Pipe Roll, No. 76) . . . . .	30,148	2	10
King's Wardrobe, again say . . . . .	5,200	0	0
Share of Fortieth . . . . .	8,237	10	0
	<hr/>		
	43,585	12	10

For the taxation of the 18th year we have tallages to the amount of £1,466 as compared with the £6,666 13s. 4d. of the previous year. A certain number of men were called out for personal service, but no general levy or scutage was called for. The prelates, however, paid ' fines ', as commutation for service. £25,000, therefore, should suffice for the ordinary Receipts of the Exchequer, and we get at last a return from the King's Wardrobe at the reduced sum of £2,000. Our total, therefore, will stand as follows :

	£	s.	d.
Exchequer Receipts, say . . . . .	25,000	0	0
King's Wardrobe . . . . .	2,000	0	0
Share of Fortieth . . . . .	8,237	10	0
	<hr/>		
	35,237	10	0

## 19 HENRY III

(Pipe Roll, No. 78)

1234-1235. This year witnessed a renewal of the German alliance to which Henry clung so, and the marriage of his sister Isabel to the Emperor Frederic II. In the month of February (1235) Imperial envoys appeared to propose for the lady's hand. Everything had already been settled. On the 22nd of the month they were received in public audience in Westminster Hall. Henry was ready with his assent, promising to give his sister a portion of 30,000 marks (£20,000) and an outfit. He was, of

<sup>1</sup> Mitchell, 200, from Patent Roll.

course, a man of artistic tastes, and lavish in expenditure in matters aesthetic. The choicest fabrics in silk and wool and linen, the costliest gems were heaped on the young Empress. On the 11th May Isabel sailed from Sandwich under the escort of Henry Archbishop of Cologne and the Dukes of Brabant, Limberg, and Lorraine. Her progress to Cologne was one long procession. The nuptial knot was finally tied at Worms on the 15th July.<sup>1</sup>

For money for his sister's dowry, and the expenses of the wedding, Henry had to turn to his subjects. For the marriage of an eldest daughter a feudal Aid was exigible. Under Henry II it had been taken at the rate of a mark (13s. 4d.) the knight's fee. For an Aid for the marriage of a sister the consent of the baronage was needed. A Grand Council granted it, and at the enhanced rate of two marks the fee. The Aid was exacted strictly, being taken even from clergy holding no land by military tenure, also from tenants in Serjeanty, and from tenants by socage tenure. The amount does not seem to have been ascertained, but the Pipe Roll shows that it must have been substantial. Tallages also were imposed to the amount of £2,666 13s. 4d.<sup>2</sup> The returns of the King's Wardrobe are rising, so that we may allow £3,000.

	£	s.	d.
Exchequer Receipts (Pipe Roll) . . . . .	32,370	14	0
King's Wardrobe, say . . . . .	3,000	0	0
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	35,370	14	0
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## 20 HENRY III

(Pipe Roll, No. 79)

1235-1236. Having now seen three of his sisters settled in life,<sup>3</sup> Henry might well think it time to find a partner for himself. In June (1235) negotiations had been opened for the hand of Aliénore, second daughter of Count Raymond Beranger of Provence, and niece of Amadeus of Savoy. The lady's elder sister,

<sup>1</sup> Dawn, 74.

<sup>2</sup> Mitchell, 213, gives the sum "charged" as £2,666 13s. 4d. Two years later London paid £666 13s. 4d.; Pipe Roll 21 H. III.

<sup>3</sup> Namely, Jeanne married to Alexander II of Scotland; and Eleanor married to William Marshal, Earl of Pembroke.

Margaret, a year before had been married to Louis IX. The connexion with France must have weighed with Henry in his choice of a bride. On the 15th October he sealed a formal contract, the Count undertaking to give his daughter 20,000 marks. Towards the end of the year Aliénore left her home under the charge of her uncle William of Savoy, Bishop-Elect of Valence, and the English Bishops of Ely and Hereford. Henry received his bride at Canterbury, and was forthwith betrothed to her by Archbishop Rich on the 14th January 1236. On the following Sunday, the 20th of the month, the wedding was celebrated in Westminster Abbey, and Aliénore crowned with all due ceremony. We may note that among the dignitaries Simon of Montfort, admitted Earl of Leicester in 1230, discharged the functions of High Steward. No expense was spared; the streets were swept clean and decorated, and, at night, illuminated with tapers and torches.<sup>1</sup> But the Queen's relatives brought a powerful reinforcement to the ranks of the foreign legion, still much too strong. The man who at once assumed a commanding influence over the King's weak mind was his 'dear uncle' as he called him, the Elect of Valence. His position became so offensive that outspoken protests were raised in a Grand Council held on the 28th April. Henry's partiality for Poitevins and Savoyards, however misjudged, was not unintelligible. "Feeble, wilful, and faithless", he had to depend on others, and, for choice, he turned to persons in sympathetic touch with himself, men of "cultivated tastes, refined manners, and absolutist politics".<sup>2</sup>

No special taxes seem to have been imposed; but there was the Queen's dowry, of which a considerable portion had come in, say two-thirds or £9,000. With that, and the overflowings of the taxes granted in the previous year, we might allow £31,000 for the Exchequer Receipts, while the King's Wardrobe returns £3,000.

Revenue :

	£	s.	d.
Exchequer Receipts, say . . . . .	31,000	0	0
King's Wardrobe . . . . .	3,000	0	0
	<hr/>		
	34,000	0	0

<sup>1</sup> Dawn, 76, 77.

<sup>2</sup> Pollock and Maitland; Stubbs; Dawn, 76-79.



## 21 HENRY III

(Pipe Roll, No. 80)

1236-1237. The expenses connected with the two weddings had emptied the King's coffers ; while a part of Isabel's dowry had yet to be paid. To provide a supply a Grand Council was summoned to meet at Westminster on the 15th January 1237. William of Raleigh, a clerical official, explained the King's needs, and begged for a Thirtieth on movables. He promised that the King, in future, would consult the wishes of his subjects in all things, and suggested that the money might be paid to special commissioners named by the barons. After a week's grumbling the Thirtieth was granted (20 January). A few days later the Charters were confirmed.<sup>1</sup>

The tax was levied very much on the footing of the Fortieth of 1232. The lords made the grant on behalf of their villeins as well as on their own account. From this latter circumstance we gather that the lords did pay their tax in respect of their demesne lands ; the question being one not free from doubt. On the other hand, the King's demesne lands were exempted, as being liable to be tallaged at discretion.<sup>2</sup> No man not worth forty pence in chattels would be taxed ; nor would the clergy, with respect to their ecclesiastical possessions, i. e. those appurtenant to their prebends and livings, have to contribute. The Cistercians, again, and the Premonstratensians, Templars, and Hospitallers do not appear to have been called on to pay.<sup>3</sup> The tax would fall on the contents of the barns and store-houses, the sheep-folds, and cattle-yards, as found on the 15th September ; the value to be appraised, and the money collected by four good men from each township, in the presence of royal commissioners and of the bailiffs of the lords ; each man swearing as to the value of all goods except his own. The money would be received by the royal commissioners, to be paid in, one-half on the 1st December 1237, and the other half on the 1st May 1238. The clergy would make their own arrangements for the collection of the money. The King promised that the grant should not form a precedent for future taxation. "He had made such

<sup>1</sup> Dawn, 79 ; Mitchell, 214.<sup>2</sup> Mitchell, 219.<sup>3</sup> Id. 216.

promises before, but only to the clergy ; now the promise was made to the laity also." The total eventually received came to £22,540 14s.<sup>1</sup> For the immediate needs of the Government tallages to the extraordinary amount of 13,000 marks (£8,666 13s. 4d.) were laid on the Jews.<sup>2</sup> But of that amount £2,000 were assigned to the Earl of Cornwall, for a Pilgrimage,<sup>3</sup> leaving £6,000 for the Exchequer. Then we might suppose the balance of the Queen's dowry, say £4,000, to have been paid in. As for the King's Wardrobe, the return for the year is wanting, but we hear of £2,000 being paid in from Ireland. Last year we had £3,000, and for the next year we shall have £3,622 returned. We may therefore allow £5,000. The whole then will stand thus :

	£	s.	d.
Normal Exchequer Receipts, say . . . . .	25,000	0	0
Tallages . . . . .	6,000	0	0
Dowry, balance, say . . . . .	4,000	0	0
King's Wardrobe, say . . . . .	5,000	0	0
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	40,000	0	0
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## 22 HENRY III

1237-1238. The King seemed to lose no opportunity of irritating his subjects by his promotion of foreigners. Suddenly, without consulting anybody, he married his sister Eleanor, widow of William Marshal, to Simon of Montfort (7 January 1238). The ceremony was performed in the King's private chapel, while he himself gave the bride away. The Earl of Cornwall came forward angrily to denounce his brother's general conduct, and, with the support of the baronage and Londoners, seemed about to lead a national party in an attack on the King with Articles of Reform. Henry was saved by the adroitness of de Montfort and the staunchness of de Burgh, who forbade recourse to arms. The coalition fell to pieces, and the barons went home cursing Richard as a broken reed. The raising of the second half of the Thirtieth exigible at Midsummer

<sup>1</sup> Mitchell, 218 from Red Book.

<sup>2</sup> Cal. Pat. Roll 21 H. III, 18.

<sup>3</sup> Mitchell, 219.

did not pass without further discussions, in which the Earl of Cornwall again attacked his brother for his extravagance and partiality to foreigners.<sup>1</sup>

The yield of the Thirtieth was eventually returned as £22,540 14s. 1d.;<sup>2</sup> and most of it was got in this year. As in 1225, the receipts were regarded as a special fund, to meet extraordinary occasions. The King borrowed from it, but he had to promise to repay the money out of the ordinary revenues of the Exchequer. For the King's Wardrobe we have £8,622 as the half of an account for that year and the next together. Our revenue will therefore stand thus :

	£	s.	d.
Exchequer Receipts (Pipe Roll, No. 81) . . . . .	24,538	15	4
Thirtieth, so far, say . . . . .	20,000	0	0
King's Wardrobe . . . . .	8,622	0	0
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	53,160	15	4
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## 23 HENRY III

(Pipe Roll, No. 82)

1238-1239. The event of the year 1239 was the birth of a son and heir. On the 17th or 18th June the young Queen was delivered at Westminster of this, her first-born child. On the fourth day the Royal infant was baptized in the Abbey under the name of the object of his father's especial veneration, the Confessor King, Eadward.<sup>3</sup> The King turned the occasion to account by exacting offerings with a greed that gave great offence. A witty Frenchman remarked that if God had given the child to the nation the King sold it.<sup>4</sup>

To make assurance doubly sure, homage to the heir apparent was required from all landowners over twelve years of age, a proceeding new in English history,<sup>5</sup> but not altogether out of place in view of the circumstances of the time, and the King's

<sup>1</sup> Dawn, 84-86. Benefices in hand are complained of.

<sup>2</sup> Red Book Excheq. III. 1064.

<sup>3</sup> Mitchell, 218, citing Cal. Pat. Roll I. 214.

<sup>4</sup> M. Paris, Hist. Maj. III. 539, 540.

<sup>5</sup> In 1162 homage was done to Henry I's son, but to him as King, 'the young King', not as heir apparent. See above.

unpopularity. Eleanor of Brittany, Arthur's sister, was still living, though in strict custody.

Simon of Montfort was one of the sponsors at the christening. But within two month's time he had fallen into disgrace. When he and his Countess, the King's own sister, presented themselves at the Queen's churching, Henry ordered them from his presence with insulting remarks; following this up by directing their expulsion from the quarters assigned to them, namely the Winchester Palace at Southwark. In helpless plight the pair hastened abroad. Fortunately for Simon, and for England, Henry's ire was as fitful and unstable as his goodwill. It was whispered that Simon's disgrace was due to his being involved in litigation by which one of the Queen's uncles, Peter of Savoy, Count of Flanders, was affected.<sup>1</sup> No special taxes were imposed. For the receipts of the Exchequer, with dribblets from the Thirtieth and the Dowry, we may allow £26,000, while for the King's Wardrobe we have again £8,622.

	£	s.	d.
Exchequer Receipts . . . .	26,000	0	0
King's Wardrobe . . . . .	8,622	0	0
	<hr/>		
	34,622	0	0
	<hr/>		

## 24 HENRY III

(Pipe Roll, No. 83)

1239-1240. Groans of the clergy labouring under Papal extortion and Papal aggression now fill the pages of our chroniclers. Hitherto we have only heard of inroads upon patronage and petty exactions pressed by Cardinal Otho, the Legate introduced by Henry in 1237; a proceeding very annoying to his subjects.<sup>2</sup> Now we hear of the advent of a financial coadjutor, Pietro Rosso by name, who had a roving commission from the Pope to beg money from convent to convent, throughout England and Scotland, for the purely political war in which he was engaged with the Emperor Frederic II. We also hear of a demand for a general contribution from all classes of the clergy, rising, at

<sup>1</sup> See Dawn, 91 note.

<sup>2</sup> Id. 82.

any rate in the case of foreigners beneficed in England, to the monstrous sum of one-fifth, or 20 per cent. of their incomes. Levies of a Fifteenth or a Twelfth are spoken of from others. Indignation meetings were held, but in the absence of any support from the King, their protests were unavailing. The Archbishop of Canterbury (Edmund Rich) set them the example of submission. Ignored by Pope and King, and effaced by the Legate, he threw up his functions in despair, and retired to Pontigny, to pass away not many days later.<sup>1</sup>

Another conspicuous personage removed within the year from the stage of British history was 'the great Caesar' the 'sleepless Eagle', Llewelyn Mawr ap Jarwerth.<sup>2</sup> For six and forty years he had kept both March lords and English Government on the constant watch against his enterprises. He passed away at Aberconway on the 11th April (1240). The succession, as previously arranged with Henry, was given to his son David by the King's natural sister Jeanne, to the exclusion of an elder brother Gruffudd who was illegitimate and unruly. On the 15th May the new Prince did homage to Henry at Gloucester. No special taxes were imposed, so that we can only allow a strict average for the Exchequer Receipts, say £24,000; but we get a bumper of £15,000 under the King's Wardrobe, to make up.

	£	s.	d.
Exchequer Receipts, say . . . . .	24,000	0	0
King's Wardrobe . . . . .	15,000	0	0
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	39,000	0	0
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## 25 HENRY III

(Pell Roll)

1240-1241. At home the year passed quietly, the Earl of Cornwall, Simon of Montfort—already restored to favour—and the bulk of the baronage being away on Crusade. Their purpose was to strengthen the position of the Christians in Palestine, where they had been recognized in the possession of Jerusalem by an arrangement made by Frederic II with the Egyptian Sultan Malek.<sup>3</sup> Nevertheless in the previous year they had

<sup>1</sup> 16th November 1240.

<sup>2</sup> Green, J. R., *History of English People*, I. 160.

<sup>3</sup> Dawn, 94.



suffered a severe defeat at Gaza. This reverse they sought to avenge.

But the King could still show his contempt for his subjects' feelings, and his anxiety to promote foreigners at their expense. The earldom of Richmond, being in hand, was conferred upon the Queen's uncle, Peter of Savoy. The new Earl having proposed a tournament in which foreigners would be pitted against Englishmen, the King entered into the scheme, exerting his influence to secure victory for the strangers, till, finding that his friends were likely to get the worst of it, he forbade the encounter.

The vacancy at Canterbury caused by Rich's death, was filled, for once, without a struggle, by the 'election' of another 'uncle', young Boniface of Savoy. This youth, under Papal influence, was already Elect of Bellay in Burgundy. So the Elect of Bellay became the Elect of Canterbury. His consecration, however, had to stand over till he was of fitting age.

A more satisfactory matter effected by the King was the 'bloodless conquest' of Wales, as the chroniclers were pleased to describe it. David, the son of Llewelyn, had evaded all the conditions on which his recognition was made dependent. Henry held a Council, and with their consent called for a muster at Chester. David had to submit without a struggle. On the 29th August he met the King's envoys on the river Elwy near St. Asaph, and made an entire submission.<sup>1</sup>

For taxation no scutage was called for; but tallages to the amount of £2,826 13s. 4d. were levied on the demesnes with £13,333 6s. 8d. on the Jews.<sup>2</sup>

For the revenue we now get the benefit of the Pell series. The reader will remember that the Pell Rolls supply weekly, monthly, and yearly totals, a great relief from the labour of adding up the Pipe Rolls, which must be totted up entry by entry. But the Pells as yet are not complete, and we must still at times fall back on the Pipe Rolls. The Michaelmas Receipt Roll gives £12,421 15s. 3d. for that term. The Easter Pell is wanting; but we might allow £10,000, the yield of the Easter term of the next year. That would make £22,421 15s. 3d., rather below our normal average; but that will be made up by the huge sum of

<sup>1</sup> Dawn, 95, 96.

<sup>2</sup> Mitchell, 220.

£15,000 returned by the King's Wardrobe, to which account all the tallages had doubtless been paid.

	£	s.	d.
Exchequer Receipts, say . . . . .	22,421	15	3
King's Wardrobe . . . . .	15,000	0	0
Queen's Do. . . . .	770	0	0
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	38,191	15	3
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## 26 HENRY III

(Pell Rolls)

1241-1242. The King had not given up all hopes of recovering Poitou. The Count of La Marche, Hugh le Brun the younger, married to John's relict, Isabel of Angoulême, was urging Henry to war with France, dangling before his eyes the prospect of a coalition with Aragon, Castile, Navarre, and Toulouse, to be arranged by himself. Troops the King need not bring, only money would be wanted. To raise the needful funds, Henry summoned a Grand Council to meet on the 28th January 1242. Needless to say that after the events of the previous year he met with a flat refusal. Matthew Paris gives a report of the proceedings in which the barons are represented as recapitulating the money grants of the reign so far, which are given as a Thirteenth, a Fifteenth, a Sixteenth, a Fortieth, and lastly another Thirteenth, besides sundry scutages and carucages. Of the first-mentioned Thirteenth no official evidence has yet been found; perhaps it referred to the various assessments of 1217. Unable to bend the collective 'Parliament' to his purpose, the King sent for the individual peers, to see what personal pressure could effect. In the spring a scutage at the heavy rate of 3 marks (£2) on the knight's fee from all clerical and lay tenants was called for, besides fines *ne transfretent*. *Dona* also from monastic Houses were requested. Altogether a very considerable revenue was raised, as we shall see.<sup>1</sup>

On the 9th May 1242 Henry sailed, with 8 earls and 300 men-at-arms. He landed at Royan, at the mouth of the Gironde, and signs at Pons on the 17th of the month. His first act was

<sup>1</sup> Mitchell, 225-230.

to write home for 200 more men-at-arms, 100 foot-soldiers, and 500 good Welshmen, besides money. Louis had acted with unexpected vigour. Hostilities having been provoked by the Count de La Marche, he entered Poitou; captured the Lusignan strongholds; forced the English to abandon the line of the Charente; and then drove them from one place to another in utter rout across the Gironde. Poitou was lost to England. For a parallel exhibition of incapacity and failure the reader must go back to John's flight from La Roche-au-Moine in July 1214.

Revenue :

	£	s.	d.
Pell Receipt Roll . . . . .	34,427	11	3
King's Wardrobe . . . . .	15,000	0	0
Queen's Do. . . . .	770	0	0
	<hr/>		
	50,197	11	3

In connexion with these figures we may point out that between March 1242 and September 1243 the King gave orders covering over £36,000 for money to be spent on the expedition; besides £10,000 borrowed abroad.<sup>1</sup>

## 27 HENRY III

(Pell Rolls)

1242-1243. All through the autumn and winter Henry remained on the banks of the Garonne, amusing himself with contracting futile treaties of alliance for the prosecution of the war. One by one his barons left him; the last men to desert him being de Montfort and the Earl of Salisbury. A system of privateering, instituted by Henry, was found so destructive to commerce, and even to fishing in the Channel, that the King was forced to submit to a truce to last till Michaelmas, and from thence onwards for five years (7 April 1243). Of any demand for the King's return we hear nothing. As a rule, his personal intervention in affairs had been simply a disturbing element. At Bordeaux he was allowed to remain in peace for five more months. On the 15th September he sailed from Souillac on the coast, and on the 25th landed at Portsmouth.

<sup>1</sup> For details see Mitchell, 288.

No extra taxes seem to have been imposed. The scutage of 40s. referred to by Matthew Paris (IV. 227, 233) was clearly that of the previous year. Accordingly we have a strictly normal revenue. The Wardrobe Account of the year is wanting; but for it, taking the average amount of several years to come, we get the following result :

	£	s.	d.
Pell Receipt Rolls . . . .	24,054	4	3½
King's Wardrobe, say . . . .	4,464	0	0
Queen's Do., say . . . .	770	0	0
	<hr/>		
	29,288	4	3½
	<hr/>		

## 28 HENRY III

(Pell Rolls)

1243-1244. For a moment clouds seemed to threaten the good relations happily established with Scotland. Alexander II, left a widower in 1238, had taken as his second wife a French lady, Marie of Coucy; and Henry took exception to the building of a fort at the Hermitage in Liddesdale, in addition to another Border fortress established in Galloway. Alexander answered, as he was quite entitled to answer, that he owed no allegiance for any particle of Scottish soil. In fact the homage of the Scottish kings had always been indeterminate; and Alexander had never been left without English holdings for which homage would be due. Henry, however, called for a muster at Newcastle on the 1st August, the Scottish King being invited to appear. On the 14th of the month a treaty was signed by which Alexander pledged himself not to enter into any treaty hostile to 'his liege lord' Henry or his heirs.<sup>1</sup> It may be worth noticing that contingents from Ireland were called out for war against Scotland.<sup>2</sup>

No general scutage was called for, but fines as compositions for scutage were arranged with tenants in chief. Laymen paid a mark; bishops and abbots from 10 marks to £40.<sup>3</sup>

<sup>1</sup> Dawn, 106, 107.<sup>2</sup> Foedera, I. 256.<sup>3</sup> See Mitchell, 240.

## Revenue :

	£	s.	d.
Pell Issue Roll, Michaelmas . . . . .	14,946	4	7
Do., Easter, say . . . . .	11,000	0	0
King's Wardrobe . . . . .	4,464	0	0
Queen's Do. . . . .	770	0	0
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	31,180	4	7
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## 29 HENRY III

(Pipe Roll, No. 88)

1244-1245. This year opened with the eventuality of an early Royal visit to Wales to be faced, with the inevitable expenditure. But the revenues of the last two years had been very moderate, while the King was understood to owe money in Gascony. He asked for a subsidy to meet the expected call to Wales. To consider the question a Grand Council was summoned for the 3rd November 1244. Clergy and laity had been reduced to such a state of discontent that the King had to prefer his demand for a subsidy with his own mouth, an unprecedented circumstance. He was met by the appointment of a committee to draw up 'Provisions', or a scheme of reform. The paper drawn up by the committee marks a most striking advance in political ideas, amounting in modern phrase to a demand for Ministerial responsibility to Parliament with control of the Purse. The requirements of the committee included a demand for the vesting in the Grand Council of the right of appointing the Chief Justiciar and the Chancellor, both offices being vacant. Of course Henry would not listen to any such terms. After a week's struggle the baffled King had to adjourn the Council to the 23rd February 1245.<sup>1</sup> When the Council resumed, a plea for a compromise was found in the engagement of the King's infant daughter Beatrice to John of Brittany.<sup>2</sup> If she had been of age the King could have levied the usual Aid at the established rate of £1 the knight's fee. As it was, it was granted at the rate of £1 6s. 8d. the knight's fee, both from clergy and laity. From clergy owning no land *Dona* were demanded; tenants in

<sup>1</sup> M. Paris, IV. 395.<sup>2</sup> Dawn, 107-109.



Serjeanty and men holding by socage being again invited to contribute; while, lastly, tallages were laid on the demesnes and boroughs.<sup>1</sup> In return the King granted a fresh confirmation of the Charters.<sup>2</sup>

The clergy, however, still had Papal demands to face. An agent, one Master Martin, had come over armed with extraordinary powers for exacting a contribution for Holy Land. It was understood that 10,000 marks (£6,666 13s. 4d.) would be the requirement.<sup>3</sup>

The dreaded campaign in Wales could not be shirked. All through the winter a wretched border warfare was waged. Finally, in August, the King himself had to go down in person. Advancing to the line of the Conway, he spent September and October rebuilding the fort at Gannock, otherwise Deganwy, on the right bank of the river; Aberconway (Conway) on the left bank being in the hands of the Welsh. By the end of October, Henry, having done his work, had returned to Chester.<sup>4</sup>

The revenue accounts of the year are anomalous, and in fact perplexing. The Pipe Roll of the year (No. 88) gives figures amounting to £33,427 9s. 6d.; while on the last Pipe there follows an entry of "Ward. Regis £78,795 4s. 3d." The direct receipts of the Wardrobe of the year are less than £5,000.<sup>5</sup> That the King might be still heavily in debt in connexion with the disastrous campaign of Taillebourg and Saintes, and costly negotiations attending the same, may well be conceived. But the question for us is from what source was this £78,795 4s. 3d. drawn, and can it be reckoned as income of the year? Without it we have £33,427 9s. 6d., quite an average return. We have seen large sums paid out of the Treasury for works, as at Dover. On the whole we think it safer to regard the £78,795 4s. 3d. as a transfer from the Treasury or some hoard, rather than accept so startling a rise in the revenue without any taxation to account for it.<sup>6</sup>

<sup>1</sup> See Mitchell, 209-213. But the details found by him do not approach the total recorded by the Pipe Roll.

<sup>2</sup> Statutes of Realm; Paris, IV. 395.

<sup>3</sup> Dawn, 109.

<sup>4</sup> Id. 112, 113. Three thousand footmen from Ireland at 2d. a day were brought all the way to Gannock; Cal. Pat. Roll 29 H. III, 461.

<sup>5</sup> See Table XIII.

<sup>6</sup> Tout, sup. I. 265.

	£	s.	d.
Revenue (Pipe Roll, No. 88) . . . .	33,427	9	6
King's Wardrobe, say . . . .	4,464	0	0
Queen's Do., say . . . .	1,000	0	0
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	38,891	9	6
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## 30 HENRY III

(Pell Rolls)

1245-1246. Resistance to Papal aggression was the great question of the year. The demand for £4,000 for Holy Land was still being pressed. Henry, who began to feel that his purse might be affected by Papal demands on the resources of his subjects, was induced to address a remonstrance to Innocent, and in the meantime forbade the collection of the money. But the Pope proved inexorable and threatened an Interdict. After sundry vapouring proclamations the King gave way, and allowed the money to be paid.<sup>1</sup>

Henry, in fact, was helpless in the hands of the Savoyards, who were supported by the Earl of Cornwall; the Savoyards were hand in glove with the Pope, and could obtain from him anything that they wished.

On the King's return from Wales a scutage known as the scutage of Gannock had been called for. At the rate of three marks the fee, with £3,903 5s. 8d. demanded, the yield only came to the miserable amount of £756 16s. 11d.

Our revenue will stand as follows :

	£	s.	d.
Pell Receipts, Michaelmas . . . .	17,876	19	3
Do., Issues, Easter . . . .	6,631	12	6
King's Wardrobe . . . .	4,464	0	0
Queen's, Do. . . .	731	0	0
	<hr/>		
	29,703	11	9
	<hr/>		

<sup>1</sup> Dawn, 114, 115.

## 31 HENRY III

(Pipe Roll, No. 90)

1246-1247. Papal aggression and Welsh troubles still divide our attention. David II, son of Llewelyn, passed away early in 1246. As he left no issue, a partition between his nephews Owain the Red and Llewelyn II ensued. This weakening led to attacks on Gwynnedd, both from the Southern chieftains, and from the English. The whole of Wales was devastated and drenched in blood. On the 20th April (1247) the Princes of Gwynnedd made humble submission, with large cessions of territory. Only "Snowdun" and Anglesey were supposed to be left to them.<sup>1</sup>

On the 3rd February 1247 a Grand Council was called to meet at Westminster to consider further Papal demands, sanctioned by the Council of Lyons (1245), in the shape of percentages on the incomes of different classes of the clergy, namely, half the revenues of all benefices the incumbents of which were not resident for more than six months in the year; one-third of the revenues of resident clergy whose incomes exceeded 100 marks (£66 13s. 4d.); and one-twentieth from all others. The war with Frederic was still going on, and money still needed. It was estimated that the Pope's requirements might run to 11,000 marks (£7,333 6s. 8d.). Seven days were spent by the barons in fruitless protests. The matter again came up at another 'Parliament' held at Oxford in April, but without better result.<sup>2</sup>

An important matter taken up at Oxford was the state of the currency. The penny of the issue of 1180<sup>3</sup> was mostly so clipped as to have lost nearly one-third of its weight. In some cases nearly the whole of the legend had been cut off. Insidious counsellors were not lacking to suggest the easy French expedient of a debased currency; but sounder finance gained the day. The standards of weight and purity were maintained, but, to check clipping in the future, a new die was adopted having the cross on the reverse prolonged almost to the edge of the coin; no piece to pass current unless the cross was intact. A further

<sup>1</sup> Dawn, 116, 117.<sup>2</sup> Id. 112, 118. See the last for the sums paid by some of the abbeyes, note.<sup>3</sup> See above.

innovation was that of three pellets in each angle of the cross.<sup>1</sup> As in 1180, the old currency was put out of circulation. As the money was only exchanged at its mere weight in bullion, less a charge of 13*d.* in the £1 for mintage, the operation involved heavy loss on all holders of the old specie. The Earl of Cornwall, a man with a decided turn for finance, advanced 10,000 marks (£6,666 13*s.* 4*d.*) for the minting, receiving in exchange power to coin money for five years in the King's name, at half profits. The concession was eventually extended to twelve years.<sup>2</sup>

The profits of the minting not coming in yet, the Government was still in straits for money. A loan of £4,000 was demanded from Italian merchants doing business in England, under threat of expulsion. Pressure was put upon Jews supposed to owe money to the Exchequer; Henry threatened them with imprisonment in Ireland.<sup>3</sup> It might be expected that some overflowing from the superabundance of the previous year would come in. The scutage of Gannock, as it was called, yielded only £756 16*s.* 11*d.*, as already mentioned, most of the tenants having served in person. The Pells are wanting; and only a most moderate estimate can be offered.

	£	s.	d.
Exchequer Receipts, say . . . .	24,000	0	0
King's Wardrobe . . . .	4,464	0	0
Queen's Do., say . . . .	770	0	0
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	29,234	0	0
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### 32 HENRY III

(Pipe Roll, No. 91)

1247-1248. The King's persistent promotion of foreigners, and the trouble and loss involved in the change of currency, doubtless contributed to the ill-temper of the February 'Parliament' of 1248. The King having asked for a subsidy was met by multifarious complaints. In addition to the old grievances,

<sup>1</sup> Hawkins, *Silver Coins of England*, 90; Ruding, *Annals of the Coinage*, 185.

<sup>2</sup> See Dawn, 119; and authorities there. In 1251 the concession was extended to Ireland for twelve years; *Cal. Pat. Rolls*, p. 94.

<sup>3</sup> Mitchell, 246.

we hear of the seizure of provisions and goods for the King's use, with the impressment of horses and carts, malpractices of which we shall hear much in the future, under the name of Purveyance. But most of all, the barons protested against the King's continuing to govern without any Chief Justiciar, Chancellor, or Treasurer approved of by 'the Common Council of the Realm'. Henry was again ready with promises, but begged to be allowed time to look about him. An adjournment accordingly to the 8th July was agreed to. When the Council resumed the King was found to have hardened his heart; he told the lieges plainly that he would be as free to choose his servants as others were. Of course no subsidy was granted.<sup>1</sup>

Matthew Paris tells us that the King was in such straits for money that he was selling plate and jewels. But the profits of the minting were coming in, apparently to the tune of some £20,000, as on the Pipe Roll we find the following handsome return :

	£	s.	d.
Exchequer Receipts . . . .	43,153	5	8
King's Wardrobe . . . .	4,464	0	0
Queen's Do., say . . . .	500	0	0
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	48,117	5	8

### 33 HENRY III

(Pipe Roll, No. 92)

1248-1249. The annual "debate" was repeated at Easter 1249, and the appointment of the three great Officers again demanded. Hopes had been entertained of success through the support of the Earl of Cornwall, but once more he proved a broken reed.

As a consequence of the weakness of the Government and the general contempt of the Royal authority, outrages and crime were rife; an association of robbers terrorized Hampshire; on one occasion we hear of thirty culprits being hung for robbery, some of the offenders being connected with the Royal Household. Left without pay, they said, they had to help themselves.<sup>2</sup>

<sup>1</sup> Dawn, 123.

<sup>2</sup> Id.



With regard to the revenue, tallages to the amount of £4,000 were raised, the King being in great straits, and pressing for contributions from clergy and laity.<sup>1</sup> As for the King's needs, we find an arrangement made at this time by which the modest sum of £1,000 is to be set apart from the Easter receipts for the expenses of the Household. But the sum that we have to allot to the King's Wardrobe for the year is again £4,464. This, however, is not at all an exact sum, but simply part of a gross account covering four years; not a very satisfactory account, but the only one that we can give. We note that the return from the Mint and Exchange for the year amounts to £2,538. For the year's revenue the Pipe Roll (No. 92) gives the substantial return of £37,790 12s. 10d.

The total therefore will stand thus :

	£	s.	d.
Exchequer Receipts . . . . .	37,790	12	10
King's Wardrobe . . . . .	4,464	0	0
Queen's Do. . . . .	1,150	0	0
	<hr/>		
	43,404	12	10
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### 34 HENRY III

(Pipe Roll, No. 93)

1249-1250. During this twelvemonth England was chiefly engrossed with the fortunes of Louis IX and his Egyptian Crusade. In England ardour in the cause reached a climax on Mid Lent Sunday (6 March 1250) when the King himself took the Cross from the hands of Archbishop Boniface of Savoy. The King's motives were obviously open to suspicion. Surmise became certainty when on the 11th April Innocent IV issued a Bull giving Henry a Tenth of all the ecclesiastical revenues of his dominions for three years, the collection, however, not to begin till the day of the King's 'passage' was fixed. A few days later, however, the time for collection was advanced to two years before the day of 'passage'. This Bull marks the beginning of a financial epoch. For years to come, the Crusade Tenths granted by it, and by subsequent Bulls based on it, will be found

<sup>1</sup> Mitchell, 250.

important items in the taxation of the kingdom, involving incidentally the crisis of Henry's reign.

One good result of the King's new purpose was that he gave authority to sign a more lasting truce with France than he, as yet, had deigned to give in to.<sup>1</sup>

Our revenue will stand as follows :

	£	s.	d.
Exchequer Receipts (Pipe Roll, No. 93) . . . . .	36,245	8	3
King's Wardrobe . . . . .	4,464	0	0
Queen's Do. . . . .	389	0	0
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	41,098	8	3
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### 35 HENRY III

(Pipe Roll, No. 94)

1250-1251. Steadily and persistently the King went on his way, heaping up wrath against the day of judgment, petting foreigners, and indulging them in every licence. One of the worst-behaved of the set was Archbishop Boniface, who looked on England simply as a source of revenue. Not content with the right of visitation within the limits of his own diocese, he was claiming to visit the Provincial Sees that were under the immediate control of their suffragans. His behaviour raised a tumult in London (May-June). The usual appeals to Rome ensued. But the Savoyard influence was still all powerful at the Papal Court. Innocent decided in favour of the Metropolitan's right of general visitation.

Ethelmer or Aylmer of Lusignan, youngest son of Queen Isabel by Hugh le Brun I, Count of La Marche, was a youth for whom a bishopric was wanted. About the 1st September (1250) Winchester had fallen vacant. Henry went down and induced the monks to accept Aylmer. On the 4th November he was elected; on the 14th January 1251 he was duly confirmed by Innocent; but his consecration had to stand over ten years.

In February 1251 a Parliament is said to have met; but with Tenths granted by the Pope in prospect Henry had no need to

<sup>1</sup> Dawn, 125; 2nd October, Foedera; Cal Pat. Rolls, 49.

trouble the National Council for money.<sup>1</sup> But we have complaints of the impounding of the revenues of vacant Sees ; also of charters being called in for resealing, a base proceeding.

The Pipe Roll, however, presents a revenue considerably above the average :

	£	s.	d.
Exchequer Receipts . . . .	44,960	19	0
King's Wardrobe, again . . . .	4,464	0	0
Queen's Do, say . . . . .	1,000	0	0
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	50,424	19	0
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### 36 HENRY III

(Pipe Roll, No. 95)

1251-1252. Our financial twelvemonth opened, and the year 1251 closed, with a Royal wedding of happiest omen, and celebrated with appropriate joy, a gleam of sunshine in a dismal era. The union was one of a pair of Royal Infants of the respective ages of ten and eleven. Alexander II had passed away 8th July 1249 ; on the 13th of the month his son Alexander III was installed at Scone. In 1243 he had been contracted to Margaret, Henry's eldest daughter, as already mentioned. The King had always held a friendly and considerate policy towards Scotland. The reader may be interested to hear that in Scotland in post-Edwardian days, the era of the two Alexanders was wistfully remembered as the time of ' The Peace '.<sup>2</sup> The Scots pressed for the celebration of the wedding in order to give the young King's throne the support of a definite English alliance. Accordingly at Christmas, Henry, Eleanor, and Margaret, Alexander and his mother, all came to York, as the guests of the Northern potentate Walter Gray. On Christmas Day Alexander was knighted by the King with twenty other youths of rank ; on the morrow the wedding ceremony was performed by the Archbishop. Henry promised a dowry of 5,000 marks (£3,333 6s. 8d).<sup>3</sup>

Since the reconciliation of 1240 the relations of Simon of

<sup>1</sup> Ann. Tewkesbury, 142 ; Dawn, 128-130.

<sup>2</sup> This interesting fact is not to be found in the chroniclers. See Bamff Charters, pp. 40, 45, A. D. 1507.

<sup>3</sup> Dawn, 131.

Montfort with the King had been altogether cordial. In 1248 he was appointed King's Lieutenant of Gascony, with powers altogether exceeding those of an ordinary seneschal. The country was in a very disorderly state. But it appears that Simon's ideas of administration and social reform were more than the country was ripe for, or could stand. Three years later, namely in January 1251, he had appeared in England, in sorry plight, having been, practically, driven out of his Province. Complaints of his conduct were coming in, but Henry, still trusting him, gave him leave to raise 2,000 marks. With this money Simon went back and hired Brabanters, foreign mercenaries, to run riot in Gascony, thus uniting the whole population against him. Returning to London about the end of the year (1251) he was mortified to find that the King insisted on sending out agents to report confidentially on the situation in Gascony; and was inviting the Gascons to send over representatives to prefer any complaints they might wish to lay before himself. About Whitsuntide (19 May 1252) the Earl and his accusers met at Westminster. However loyal and well-meaning Simon might have been, his administration stood clearly condemned by its results; he had set the whole Province against him. As he had proved a failure, the King, with his usual meanness, at once turned against him. A scene, unparalleled in our history, ensued. On the first day Simon made a stout defence, insisting on the loyalty and honesty of his conduct. The King seemed satisfied; but next day, veering round, he behaved with the grossest unfairness towards the Earl, ending by declaring that he, Henry, was not bound to keep faith with an 'insolent traitor'. Springing to his feet, Simon gave the King the lie direct, swearing that but for his Royal dignity he would have been made to rue the words.

To satisfy the Gascons, they were informed of an arrangement by which Gascony had been assigned to young Edward. But in the meantime Simon was given tacit permission to return to Gascony, where his presence could only lead to bloodshed.<sup>1</sup>

The collection of the clerical Tenth's graciously conceded by Innocent IV in 1250 might begin two years before the King's departure for Holy Land had been fixed and sworn to.

<sup>1</sup> Dawn, 132-136.

To comply with this condition Henry held a grand Crusade meeting at Westminster, 14th April (1252), again took the Cross, and pledged himself by his own personal oath—an unusual circumstance in the case of kings—to make a start by the 24th June, three years from thence. But it was found that without a definite consent on the part of the clergy it would be useless to attempt to levy the tax. Clergy and laity of both Provinces were summoned to meet in a Grand Council at Westminster in the second week of October. By the sturdy voice of Robert Grosseteste, the Bishop of Lincoln, the united assembly declared that they would not 'bow the knee to Baal', or pay 'the accursed tax'. The mortified King had to fall back on applications to private individuals, but with little success.

To raise the marks for little Margaret's dowry a tallage was levied. The total recorded as paid in amounted to 7,100 marks 10s. 5d. in silver, and 20 marks in gold. The silver marks made £4,733 17s. 1d. and the gold marks £180, together £4,913 17s. 1d.<sup>1</sup>

Revenue :

	£	s.	d.
Exchequer Receipts, say . . .	29,000	0	0
King's Wardrobe, say . . .	5,000	0	0
Queen's Do., say . . .	1,000	0	0
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	35,000	0	0
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### 37 HENRY III

(Pell Roll)

1252-1253. De Montfort, returning to Gascony with money and men furnished by friends in France, attempted to fight his way back into his Province. But the Gascons, meeting him on the frontier, kept him at bay. Realizing that his presence was simply harmful, he threw up his appointment and retired to France.

If Gascony was not to be lost, a Royal visit was clearly necessary. For the expedition a subsidy would be needed.<sup>2</sup> Thus Henry had to resign himself to the disagreeable necessity

<sup>1</sup> Mitchell, 251. The payments extended over three years.

<sup>2</sup> Dawn, 140.



of facing a Parliament. On the 15th April (1253) a very full Grand Council met at Westminster. The laity were prepared to grant an Aid of three marks on the knight's fee for knighting the King's son. But the difficulty was with the clergy, who demanded canonical election of bishops, a concession to which no Government could give in. Eventually, they were induced to grant a tenth of their revenues for three years, 'when the King should undertake the journey to Jerusalem'. On the 13th May the two Charters, so often already confirmed, so constantly violated, were once more recited in Westminster Hall. All that ceremonial could do was done to impress the King with the responsibility of his oath.<sup>1</sup>

In view of the King's expedition to Poitou, Queen Eleanor and the Earl of Cornwall were appointed Joint Regents with control of the Great Seal<sup>2</sup> (22 June). On the 6th August the King embarked at Portsmouth; on the 20th of the month he signs at Bordeaux.<sup>3</sup> Sundry rebel strongholds were reduced, Henry granting easy terms to those who surrendered. But great destruction of property was committed; and when winter came Henry's men were reduced to straits for want of provision; the man-at-arms with his esquire and his groom (*Cum armigero et arcione*) was much put to it to keep his party and their horses alive on his two shillings a day.

The Gascons had been showing an inclination towards an alliance with Castile. To meet this danger Henry took perhaps the happiest step of his reign, in sending the trusted Henry Mansel to negotiate an alliance with Castile, on the footing of the marriage of Eleanor (Alienora), sister of Alphonso I, to young Edward (15 May 1253). Their overtures were favourably received, and Henry gave orders for sending the Queen and the Prince to Spain at the earliest opportunity.

With regard to the revenue, the clerical Tenths had only been granted to be payable 'when the King should start for Jerusalem'. The date that Henry had announced was Midsummer three years, namely 1256.<sup>4</sup> The Aid for knighting the

<sup>1</sup> See the details, Dawn, 141.

<sup>2</sup> This appointment of the Queen gave rise to the myth of the Law Courts that there had once been a female Chancellor.

<sup>3</sup> Over 300 writs of protection were issued for men going out with the King; Mitchell.

<sup>4</sup> Cal. Pat. Rolls, 188.

King's son, at £2 the knight's fee, appears to have eventually yielded £7,594 odd.<sup>1</sup> But it was to be paid half at Michaelmas 1253, and half at Easter 1254, so that none of it would come in this year. That the King was in difficulties appears from the fact that on a pledge of jewels he had borrowed 2,000 marks (£1,333 6s. 8d.) from the Earl of Cornwall, with 6,000 marks (£4,000) more to follow. This last sum was borrowed as he was sailing—a precious provision for a military chest for a foreign campaign. But a *bonus* was found in coin to the amount of £4,134 drawn from the Treasury in Ireland.<sup>2</sup>

The Pell for Michaelmas shows £8,887 12s. 3½d. The Easter Roll is wanting. For the Exchequer Receipts we can only allow £21,000.

Revenue :

	£	s.	d.
Exchequer Receipts, say . . .	21,000	0	0
King's Wardrobe, say . . .	5,000	0	0
Queen's Do. (stated) . . .	2,273	0	0
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	28,273	0	0

Towards his wife's relations Henry's liberality knew no bounds. Having engaged Peter of Savoy to accompany him on his Crusade, he pledges himself to deliver to Peter 10,000 marks at Marseilles with a ship fully equipped for his voyage.<sup>3</sup>

### 38 HENRY III

(Pell Rolls)

1253-1254. In October (1253) Henry in Gascony found it expedient again to hold out the olive branch to de Montfort; who once more readily placed his sword at his lord's disposal. Simon had profited by experience, and, with his help, the Province was reduced to tolerable order. But the King was in extremities for money, and in his distress was not ashamed to write home representing that the country was in danger of invasion by Castile, when everybody knew that the alliance with Castile was virtually concluded. The attempt at imposition

<sup>1</sup> Mitchell, 254, 255.

<sup>2</sup> Id. 204, 236.

<sup>3</sup> Cal. Pat. Rolls, 188.

was transparent. Nevertheless the dutiful Regents had to lay the idle tale before a Grand Council held at Westminster on the 27th January 1254. The prelates, who were willing to assist if Gascony were really invaded, doubted if the lesser clergy would grant anything beyond the Tenth already being collected. The barons, likewise, to a man, could promise to go to Gascony if the Province were in danger, but they had their misgivings as to whether the lesser gentry could be induced to grant anything except on condition of stricter observance of Magna Carta. Here we find both Orders to a certain extent taking shelter behind the commonalty, of whose concurrence in 'parliamentary' grants nothing had ever yet been heard. The Government was quick to take up the suggestion that the lesser folk might prove more manageable than the great men, and at once issued writs requiring the sheriffs to return two worthy and discreet knights (*milites*) from each shire to attend at Westminster on the 26th April, for the purpose of granting an Aid. Thus we find ourselves at that "important landmark" in English history, the first appearance of elected representatives in the National Council. But on this particular occasion the Crown gained nothing by summoning the Commons. When the assembly met, its backbone seemed to have been stiffened by the infusion of the popular element. The Parliament would grant nothing beyond the clerical Tenth then fully exigible.<sup>1</sup>

For the work of collecting the tax the Bishops of Chichester and Norwich were appointed. Each prelate had a different district to supervise, and a new assessment, afterwards known as the Norwich taxation, was introduced. The tax fell both on spiritualities (tithes and offerings) and on temporalities (returns from land), but not including returns from lands held by military service. Those would be amenable to lay taxation. In each deanery the valuation of the incomes of the churches and clergy was to be made by the dean and three chief rectors or vicars. Those who opposed the tax or swore falsely would be liable to excommunication. "No such searching inquiry had been made since 1229, and the severity of the measures caused complaint." The whole of the yield for the first year was to be paid by

<sup>1</sup> Dawn, 145, 146.

Michaelmas if possible.<sup>1</sup> No official rate-book of the Norwich valuation seems to have come to hand, but from data gathered later we shall find that the total should come to £11,000 in round numbers, a fourth of the amount being commonly reserved for the *Papa Curia*.

Bent on crushing the Hohenstaufen in Italy as well as in Germany, Innocent IV was endeavouring to find a man to contest the Kingdom of Sicily. In November 1252 an offer of the Crown had been made to the Earl of Cornwall, and was prudently declined by him.<sup>2</sup> But Innocent was in need of a champion; and on the 4th March (1254) a formal offer of the Crown of Sicily was made to Henry by a Papal agent, on behalf of Edmund, the King's second son, a boy about twelve years old. Henry jumped at the offer. What the Pope wanted was money. Cash to spare Henry had not. But he could pledge his own credit, and that of his subjects, and so the unprincipled monarch actually transmitted to Innocent blank letters of credit under his Seal, to be filled in at the Pope's discretion. The Archbishop of Canterbury and the Bishop of Chichester are directed to borrow from all and sundry willing to lend for 'the work of God and the Church'; the English churches to be assessed for repayment of the debt. The amount so far already raised in this way was reported as £25,000. At the same time the clerical Tenthhs already granted for three years are conceded for two years more.<sup>3</sup>

In Gascony meanwhile all went smoothly. On the 1st April (1254) a treaty of offensive and defensive alliance was concluded between Alphonso and Henry, who undertook to give the young couple an establishment of £10,000 a year. On the 1st June Queen Eleanor embarked at Portsmouth with her sons Edward and Edmund, and in due time landed at Bordeaux. During the autumn Edward was sent to be knighted by Alphonso, and married to Eleanor. The wedding was celebrated at Burgos late in October, but strange to say the exact day does not seem to have been handed down.

With the Aid for knighting the King's son and the clerical Tenthhs the Pell Receipt Rolls only show the moderate return of £29,553 10s. 5d. But Edward's allowance of £10,000 would

<sup>1</sup> See Mitchell, 272.

<sup>2</sup> Dawn, 111, 139.

<sup>3</sup> Id. 147, 148; *Foedera*.



now be payable. The King's Wardrobe may again be taken at £5,000, while for the Queen's Wardrobe we may allow the middling sum of £1,200.

	£	s.	d.
Exchequer Drafts . . .	29,553	10	5
King's Wardrobe, say . . .	5,000	0	0
Queen's Wardrobe . . .	1,200	0	0
Edward's allowance . . .	10,000	0	0
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	45,753	10	5
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## 39 HENRY III

(Pipe Roll, No. 98)

1254-1255. For his return to England the King chose an overland route through France, to give himself an opportunity of visiting its sunny plains, its well-built cities, and its glorious churches. Louis gave him free leave of way, and met him at Orleans; three days were given to Paris; on the 27th December Henry sailed from Boulogne, and the same day landed at Dover.

On the 1st September (1254) Henry had written home saying that without advances from his brother he could not leave Gascony.<sup>1</sup> Accordingly we find that the Earl had advanced 5,000 marks (£3,333 6s. 8d.) on a security of a most extraordinary character. He was to get back £5,333 6s. 8d. charged on the collective Jewry of England, who were made over to him bodily, with all necessary powers for enforcing the debt.<sup>2</sup> A minor obligation of £1,077 16s. 8d., due to a company of Lucchese merchants for necessities, was satisfied by assignments or tallages laid on London and York. "Assignments", as the reader knows, would not appear on the Rolls, and should be added to the returned revenue to get the full amount.

The demands of the Papacy in connexion with the Sicilian affair were appalling, and beyond all possibility of satisfaction. Innocent IV had passed away (7 December 1254). But his successor, Alexander IV, had taken up the business with alacrity. The total so far incurred was put down at £94,360 6s. 8d., a sum

<sup>1</sup> Cal. Pat. Rolls, 336. See also 335 for 5,000 marks due to Bordeaux merchants.

<sup>2</sup> Dawn, 151; Cal. Pat. Rolls, 400; for the assessment see 439, &c.



nearly equal to Richard's ransom, a sum that the whole Angevin dominions had failed to raise. 'Parliament' alone could grapple with such difficulties. Accordingly on the 11th April (1255) a Grand Council was held at Westminster. Nothing could be asked of the clergy, who had their Tenths to meet; but the King pressed for a Tenth from the laity. The demand was met with a renewed petition for a Chief Justiciar, Chancellor, and Treasurer acceptable to themselves. Again the King was obdurate, and so the assembly was adjourned till after Michaelmas.<sup>1</sup>

In the course of the summer (1255) England was honoured with visits by special Papal emissaries, Cardinal Ottaviano Ubaldini and the sub-deacon Rostand.

The Cardinal was charged to invest Edmund with his kingdom, and unfold the conditions of the grant: Sicily to be held as a fief of the Holy See, at a rent of 2,000 ounces of gold (£1,333 6s. 8d.), and liability to put 300 mounted men-at-arms in the field, on demand, besides other obligations. Alexander had commuted Henry's vow to go to Holy Land into a vow to invade Sicily.

Rostand's business was to lay hands on all money collected for the Crusade, compositions for vows, legacies, &c., including the current Tenth granted to the King. But most especially it would be Rostand's duty to compel the Churches to take up the drafts or bills drawn on them without authority. Alexander had authorized the Bishop of Hereford to draw *ad libitum* on the English monasteries for sums running from 500 marks to 700 marks apiece, 'or more', under pretence of business transacted for them at the Apostolic See; the parties drawn upon would be required to admit the truth of recitals false in every particular as to the receipt and application of the money.<sup>2</sup> A grosser case of fraudulent finance in all history it would be difficult to find.

To return to our revenue, we hear of complaints of the mismanagement of the Forest of Dean and its mines; and that the ore smelted was not worth the wood burnt. Alongside of this we hear of extensive sales of wood for relief of the King's debts advertised in the south-western counties.<sup>3</sup>

<sup>1</sup> Dawn, 151, 152.

<sup>2</sup> Id. 155; Mitchell, 275.

<sup>3</sup> Cal. Pat. Rolls, 432, 436.

But all the time the revenue, with the clerical Tenths flowing in, was in an exceptionally flourishing condition. Pipe Roll No. 98 returns for the Exchequer Receipts £49,494 *os.* *1d.* For the King's Wardrobe we can allow £5,000 and for Queen's Wardrobe £1,200.

	£	s.	d.
Exchequer Receipts . . . . .	49,494	0	1
King's Wardrobe . . . . .	5,000	0	0
Queen's Do. . . . .	1,200	0	0
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	55,694	0	1
	<hr/>		

## 40 HENRY III

(Pipe Roll, No. 99)

1255-1256. On the 13th October 1255 the Parliament adjourned from April resumed its sittings. It would seem that clergy and laity sat apart, the King in person negotiating with the barons, while Rostand took charge of the clergy. The barons again flatly refused to grant a subsidy—if indeed it was asked. The Earl of Cornwall expressly refused to advance a penny for an enterprise in which neither he nor any of the barons had been consulted. After a month of weary intrigue the King gave up the struggle.

As for the clergy, they were in a very disorganized condition, wanting leaders and allies. They had still to meet the third year of the Papal Tenths, to which a sort of consent had been extorted. But for the prolongation of the tax for two more years, no consent of theirs had been asked or given. Under Rostand's instructions they had the prospect of being compelled to pay the extra years in advance, if not of being made responsible for the whole of the King's liabilities to the Pope. Determined not to submit without a struggle, Fulk Basset, Bishop of London, and Walter Cantilope of Worcester united the clergy in an agreement to reject all the new demands preferred by Rostand, and to lay their grounds of refusal before the Pope. Rostand, however, refusing to accept any denial, adjourned them to the 13th January 1256. Meanwhile he gave orders for a new and more stringent assessment; to include among other novelties lay

fiefs held by churchmen;<sup>1</sup> these would properly rank as lay property, and be only subject to lay taxation.

When the day came, the bishops again refused to set their seals to declarations that they had *bona fide* received money of which they had never seen a penny. The scheme of revised taxation had to be dropped. But meanwhile the 'Executor' of the Crusade, as he was called, was applying the irresistible screw of excommunication and Interdict to individual Houses, and with tolerable success. In March the King informs the Pope that by Midsummer the honest 'industry' of Master Rostand will have provided money or securities for 80,000 marks; while we have a letter from Alexander himself directing Rostand to remit 2,000 marks due to merchants of Siena, by drawing on Durham for 500 marks, on Bath, Thorney, and Croyland for 400 marks each, and on Giseburn for 300 marks. So it went on with other Houses. The only concession that Alexander would make was that money paid to Rostand should rank as payments on account of future Tenths.<sup>2</sup> But of the third year of the Tenths supposed to be coming in, not a penny, apparently, was allowed to reach the King's pocket. In fact we are frankly told that no money from the Tenth may be paid out pending the Pope's decision. Between June 1255 and February 1256 we have the following sums paid out by the orders of Rostand 'for the business of Sicily': 5,500 marks; 1,300 marks; 3,952 marks 4s. 0½d.; 1,700 marks; £1,755 17s. 3d.; lastly, 1,980 marks to foreign merchants. Thus we have £11,376 4s. 4d., a full Tenth accounted for.<sup>3</sup> Two thousand marks paid to the King's messengers must be refunded by him; so of 1,300 marks paid into the Exchequer.

In the autumn a serious reverse was suffered in Wales. Since 1247 the unhappy land had rested in peaceful obscurity under the divided rule of Llewelyn, Owain, and David, sons of Gruffudd. But in 1255 the old curse of fratricidal strife broke out again; Llewelyn attacked his brothers, defeated them in pitched battle, and annexed all their possessions. The Crown conquests in Wales had been assigned to young Edward as part of his appanage. He had done good work in the way of settling

<sup>1</sup> Mitchell, 275.

<sup>2</sup> Dawn, 154-156.

<sup>3</sup> Cal. Pat. Rolls, 462, 470, 480, 509, 514, 587.

Gascony, and had come home with his bride. In August (1256) he paid a visit to his possessions in Gwynedd to look after matters there. He directed his officers both there and in the South to work for a more complete incorporation of the subject districts, by re-arranging them in Hundreds and shires on the English plan, with County Courts and English judicial and administrative machinery, to supplant Celtic ways and customs. Most dangerous experiment of all, he ordered a poll-tax of 15*d.* a head to be levied. The Welsh flew to arms. Llewelyn took the lead, and in the course of the autumn overran all Edward's possessions. In the face of such a movement the young Prince found himself helpless. Neither King nor Queen had any money, and the Earl of Cornwall had found at last an investment for all his accumulated wealth, as we shall see.

With the proceeds of the Tenth, supposed to be granted to the King, but diverted to the furtherance of the Papal schemes, the revenue falls.

	£	s.	d.
Exchequer Receipts (Pipe Roll, No. 99) . . . . .	29,571	11	11
King's Wardrobe . . . . .	5,000	0	0
Queen's Do. . . . .	1,200	0	0
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	35,771	11	11

Of course Edward's allowance would be running; with that the revenue should reach £45,000.

## 41 HENRY III

(Pell Rolls)

1256-1257. Richard of Cornwall had resisted the offer of the Crown of Sicily. But a more splendid bait was now being dangled before his eyes. The Imperial Crown was vacant. William of Holland, the Papalist puppet King, had passed away in the previous January. The Christmas Court of 1256 was graced by the presence of an envoy from Germany, John of Avesnes,<sup>1</sup> entrusted with no less a mission than that of making a formal offer of the Imperial Crown to the Earl. The English magnates received the intimation in silence, dismayed at the

<sup>1</sup> Son of the Countess Margaret of Flanders by her first husband, Bouchard of Avesnes.



prospect of a fresh continental entanglement, and the loss of the one man who might be looked for to keep some check upon the King in his rampant folly. Acceptance of the offer, moreover, would imperil the friendly relations subsisting with France and Spain; Alphonso had a party prepared to support him, while the French were afraid of an Anglo-German alliance. But Henry hesitated not for one moment. On the 29th December Avesnes received full powers to settle details. On the 13th January 1257 Richard was elected by a minority of the Electors. His qualifications were that he was neither a Frenchman nor an Italian; not connected with the Hohenstaufen, but one who would be acceptable to the Papacy. But, of course, his grand qualification was his wealth. In March Richard took leave of England in a Grand Council held at Westminster. On the 29th April he sailed from Yarmouth, with Senche, sister of the English-French Queen, and his eldest son Henry. In due course they landed at Dordrecht. On Ascension Day (17 May) Richard was crowned King of the Romans, at Aachen, otherwise Aix-la-Chapelle, by the hands of the Archbishops of Maintz and Cologne, and took his seat on the throne of the mighty Karl.<sup>1</sup>

Richard of Cornwall had secured his Crown. But the Sicilian affair had not been disposed of one way or another. Alexander, with evident reluctance, had granted Henry six months' extension of time for his stipulated expedition to Apulia. About the 18th March (1257) a full and influential Grand Council met at Westminster. The King laid his case before the laity, more frankly perhaps than he had yet done. He begged the leaders of the nation to take upon themselves the burden of subduing Manfred, natural son of Frederic II, who had overrun the Two Sicilies with surprising ease in the name of his nephew Conradin.<sup>2</sup> Again the barons absolutely refused to give any kind of sanction to the so-called Crusade, their reasons being given in writing. The clergy were called to meet in the Chapter House at Westminster on the 25th March. Rostand demanded Tenth for another year, the fourth—imposed without consent—First Fruits for five years, entire revenues of non-residents, &c., &c. The prelates, after an adjournment to consult the lower clergy, returned with an offer of the very liberal sum of £52,000 to the

<sup>1</sup> Dawn, 160-162.

<sup>2</sup> Conradin was son of Conrad IV, son of Frederic.



King, as a composition for all the gracious concessions (*gratias*) made to him at their expense by the Pope. The King after some delay gave an ungracious assent. Of this grant all that can be said is that not a penny of it reached the Receipt of the Exchequer. The Pell Rolls of the year are extant, and the total accounted for by them is £12,777 7s. 6½d.<sup>1</sup>

The unhappy King was now in a pitiable state: the Crown of Sicily fading in the infinite distance; the possibility of an Interdict hanging over his head; his subjects ground down with taxation, but none of the money going into his pocket. Accumulated griefs threw him into a fever.

But, in addition to all these, there was a Welsh expedition yet to be faced. Llewelyn, having carried his victorious arms as far as Cardigan late in the previous autumn, proceeded in the spring to overrun Upper Powys, and thence, entering Gower, wasted all the English lands there and all round Kidwelly and Abertawy. Finally, on the 3rd June he and his allies inflicted a crushing defeat on Stephen Bauzun, Edward's deputy at Llandilo Vaur. The victorious chieftains then entered Dyfed (Pembrokeshire) and burned Llanstephan. But the great walled fortresses defied attack. Henry could no longer refrain from action. The military tenants were summoned to be at Chester by the 1st August. Another paltry ineffectual campaign ensued, its aim being limited to the mere relief of Gannock, otherwise Deganwy, besieged by Llewelyn. Henry, accompanied by Edward, marched through the modern counties of Flint and Denbigh, devastating far and wide; relieved the fort, and then went home.

If Henry was in sorry plight he had himself to blame. His own personal intervention in matters of finance was marked by recklessness, improvidence, wanton alienation of assets, and arbitrary action. The convents of Cirencester, Chertsey, Abingdon, Hyde, and Pershore are ordered, apparently, to provide between them 4,500 marks to satisfy bonds due by the Queen and Peter of Savoy to the Spini of Florence.<sup>2</sup> A sum of 4,000 marks, due by Louis, is made over to the insatiable Peter of Savoy. Then we have a joint bond by King, Queen, and Edward to the Spini for 10,000 marks, to be repaid at Midsummer 1258. Failing repayment at the term, interest to run at the rate

<sup>1</sup> Dawn, 162, 163.

<sup>2</sup> Cal. Pat. Rolls, 557, 558.

of 1 mark for 10 marks advanced every two months.<sup>1</sup> That the money was intended for the Pope may be inferred from the fact that the bond ends with a provision for the re-loan of the money when the debt has been satisfied; the renewed loan to be delivered to the King's agents at Rome, namely William of Valence and de Montfort. Practically the whole revenue is mortgaged, Tenths included.<sup>2</sup>

In this state of affairs it is not surprising to find the King complaining that he does not know where to look for 700 marks (£466 13s. 4d.) wherewith to buy needful articles at Boston fair; unless the amercements and fines to be imposed by the Itinerant Justices in the Northern counties should yield as much. For a further requirement of 3,000 marks or 4,000 marks the Treasurer is ordered to sell wood.<sup>3</sup> In November Henry had to repay his brother £7,224 for money borrowed in Gascony.<sup>4</sup>

For the actual revenue of the year the only extraordinary receipt that we have is a tallage that yielded £5,666 13s. 4d.; while for the Welsh expedition a scutage at the rate of 3 marks (£2) the knight's fee was levied from all tenants who had not served in person, together with some petty fines. But the paltry returns (£181 6s. 8d.) belong to the next year.<sup>5</sup>

In the midst of all his troubles Henry took a fancy to issue gold coins, the first seen since the Conquest. The piece was to weigh two silver pennies (25 grains) and to be current at 20d., a ratio of 1 to 10, whereas hitherto gold had passed at the ratio of 1 to 9. Consequently nobody would take it at the price and the whole issue had to be withdrawn.<sup>6</sup>

The Pell Receipts sink to £12,777 7s. 6½d. The accounts of the King's Wardrobe are wanting. But looking at the returns of the following years we may allow £7,800; the returns of the Queen's Wardrobe are extant, as below:

	£	s.	d.
Exchequer Receipts . . . . .	12,777	7	6½
King's Wardrobe, say . . . . .	7,800	0	0
Queen's Do. . . . .	1,248	0	0
	21,825	7	6½

<sup>1</sup> Cal. Pat. Rolls, 559.

<sup>2</sup> Id. 562, 563.

<sup>3</sup> Id. 544.

<sup>4</sup> Mitchell, 282.

<sup>5</sup> Id. 284.

<sup>6</sup> Dawn, 300, from *Liber de Antiquis*, 29, 30; Ruding; only three of the pieces are known to exist; Akerman.

## 42 HENRY III

(Pell Roll)

1257-1258. Of the varied events of the memorable year 1258 only the slightest sketch can be given. The twelvemonth opened under the gloomiest auspices. Continuance of bad weather during autumn and winter had caused failure of crops, leading to dearth, want, and consequent mortality. The pressure of distress was the one thing needful to make the seething discontent of the nation boil over. On the 9th April 1258 a Grand Council or Parliament was opened at Westminster. Henry was in doleful straits; the Pope was still pressing for the liquidation of the Sicilian liabilities; and a new Nuncio was threatening excommunication. The session opened with a violent quarrel between de Montfort and William of Valence, the King's most unpopular half-brother. By this dissension, Simon, who had been on friendly terms with the Court since 1254, was driven into opposition.<sup>1</sup> Henry soon found that the question was not what he was to get from his subjects, so much as what they were to get from him, in the way of guarantees for his future conduct. The outcome of three weeks of angry debate was a promise by the King to execute forthwith all necessary measures of reform by the hands of a body of twenty-four Councillors, half to be chosen by himself, and half by the barons; the selection of the Councillors and all other questions being reserved for another Parliament, to be held at Oxford; the barons promised to do their best to procure a grant or Aid for the King.

About the 11th June the celebrated Oxford Parliament met. Proceedings opened with the presentation of a long list of grievances, being complaints partly of violations of the Charters, partly of harsh exercises of Crown prerogatives, such as the infliction of arbitrary amercements and fines by Justices in Eyre; sale of the hands of heiresses to foreigners; waste of the lands of minors in wardship. These no doubt were mostly landlords' grievances, but still widely felt by the lower agricultural population.

The election of the Twenty-four followed, the barons' list

<sup>1</sup> Dawn, 166, 167; Mitchell, 282.

comprising all the men of most mark in the kingdom.<sup>1</sup> From the first it became clear that the influence of the barons' Twelve was predominant. The appointment of responsible Ministers to the approbation of the barons had been the primary instalment of reform repeatedly insisted on. The first act of the Twenty-four, apparently, was to satisfy this requirement. The all-important office of Chief Justiciar, which was vacant, was given to Hugh Bigod, brother of the Earl Marshal, a man of the strictest integrity. But a spirit of compromise was shown by allowing the Keeper of the Seal, Wingham, and the Treasurer, Philip Lovel, to retain their offices. Means having thus been secured for an immediate control of the administration, an order was obtained for the removal of foreigners and other suspect persons from the keeping of the Royal castles. Having secured this vital point, the barons proceeded to propound a cut and dry "Provisional Constitution", with a standing committee of Fifteen to 'advise' the King in all things. It was a well-meant attempt to reach *per saltum* the happy state of things under which the King reigns but does not govern. For the choice of the Fifteen, on the composition of which body everything would depend, an elaborate scheme was devised, but the reformers obtained the decisive majority of ten to the King's five, which enabled them to issue a Memorandum providing for a general reform of the civil administration. Henry, putting his trust in the Pope, assented to everything laid before him. Steps taken for enforcing the order for the resumption of Royal castles broke up the Parliament. William of Valence and his brother Aylmer, the Bishop of Winchester, flew to arms; they were promptly followed up, subdued, and forced to leave the kingdom. Edward, who till then had stubbornly held out, at last was induced to take the oath to the Provisions of Oxford.

The session of Parliament interrupted by the flight of the Poitevins was resumed at Westminster, when the barons promptly gained the support of the City, the Mayor and Aldermen sealing their acceptance of the Provisions.

Having secured the support of the Londoners, the barons proceeded to proclaim their new constitution and set it a-going. Writs were issued for the election of knights of the shire to hold inquests as to grievances; while on the 4th August the King

<sup>1</sup> Dawn, 167, 170.



published a notification of the oaths taken by himself and his son to abide by the Ordinances promulgated by the Twenty-four, or the majority of them, as represented by the Fifteen.<sup>1</sup>

Further business was adjourned to a Parliament to meet at Westminster on the 13th October.<sup>2</sup>

With regard to the Sicilian affair the barons had no hesitation. On the 9th August the two Nuncios received their safe-conducts, and a few days later left England. They were followed by a very outspoken letter to Alexander signed by twelve of the Fifteen, amounting to a rejection of the Sicilian Crown.<sup>3</sup>

At this point it is very interesting to have an acknowledgement under the King's hand and Seal of the total obligations incurred by him in connexion with that mad scheme. Writing to Cardinal P. of St. George in *Velabro* he mentions casually that he had bound himself to the amount of 135,000 marks (£90,000), exclusive of 2,000 marks due to the Cardinal, for which he promises to pay.<sup>4</sup>

For the expenditure of the year we have 11,000 marks assigned to Peter of Savoy; while the Abbots of Waltham, St. Albans, and Reading are bound in 2,500 marks each for French merchants.<sup>5</sup>

To meet arrears of the Papal rent-charge and other needs, small loans of £550, 2,000 marks, and 2,250 marks were contracted. In the previous year Henry had issued a gold currency, but at too high a rate, and the merchants would not take it. Nevertheless payments from the Wardrobe are ordered to be settled in "the new gold money".<sup>6</sup>

Under the circumstances of the year no special money grant could be made or expected. Nevertheless the Pell Receipts show a trifling rise above the figures of the previous Audit, namely £13,518 10s. 2d. The King's Wardrobe returns, as one-third of an account covering three years, the sum of £7,800, and the Queen's Wardrobe, as the share of seven years, £721.

	£	s.	d.
Exchequer Receipts . . . . .	13,518	10	2
King's Wardrobe . . . . .	7,800	0	0
Queen's Do. . . . .	721	0	0
	<hr/>		
	22,039	10	2

<sup>1</sup> See text in French, Cal. Pat. Rolls, 644.

<sup>2</sup> Dawn, 171-176.

<sup>3</sup> See id. 170-176.

<sup>4</sup> Cal. Pat. Rolls, 625.

<sup>5</sup> Id.

<sup>6</sup> Id. 649.



## 43 HENRY III

(Pell Roll)

1258-1259. On the 13th October (1258) Parliament resumed at Westminster, and the King's acceptance of the Provisions was finally proclaimed. Further, a letter was sent round the counties informing the people of the new oath against malversation imposed on the sheriffs, limiting their claims to free quarters on their rounds ; evidently a main standing grievance, comparable to the visitations by bishops and archdeacons, to which the parochial clergy were subject. A sheriff must not take more than five horses with him, nor quarter himself on any layman not worth £40 a year in land ; nor on any House of Religion not possessing 100 marks (£66 13s. 4d.) in land or rent ; and that, not more than once in each year, or twice at most. In the matter of presents he must not take more than twelve pennies' worth at a time.<sup>1</sup>

That the barons were honest in their purposes of reform cannot be doubted. In October and November eighteen sheriffs, controlling twenty-five counties, were removed, and Philip Lovel, the Treasurer, dismissed.<sup>2</sup>

But now the barons found themselves embarrassed by the announcement that the King of the Romans, tired of Germany, was proposing to return to England. Crowned, as we have seen, on the 17th May 1257, in July 1258 he received the submission of Worms, a Hohenstaufen stronghold. He had traversed and obtained the submission of Rhineland. But by that time his Exchequer had run dry ; the golden tide that should have borne him to Empire was spent, and his mercenaries were falling from him. For means to keep them on he must look to his native country.

At the first word of his coming, the barons hastened to let him know that he must not attempt to set foot in England except on condition of subscribing the Provisions. On the 4th November a letter was addressed to him in the King's name, pressing him to give in his oath. Richard showed the greatest reluctance, but, finding that the barons were not to be trifled with, gave

<sup>1</sup> Dawn, 176, 177 ; Patent Roll.<sup>2</sup> Dawn, 177.

way. On the 28th January 1259 he crossed with Queen Senche, a younger son Edmund, and a modest retinue. Henry received him at Canterbury. Next day the Earl of Gloucester<sup>1</sup> summoned him to the Chapter House, and addressing him significantly as 'the Earl of Cornwall', made him swear that he would be a faithful fellow-helper in carrying out the much-needed reform of the realm.<sup>2</sup>

Throughout the year 1259, in spite of all difficulties, the double work of pacification abroad and reform at home was carried on with very creditable vigour. The three prescribed Parliaments were held at the appointed times, namely, in February, April, and October. De Montfort was the soul of the reforming movement; the people trusted him, but he had not by any means the entire management of affairs. The people began to complain of the little progress being made on the point, doubtless the point on which they most wanted assurance, namely, that of the concession by the great lords to their under-tenants of the rights claimed by themselves against the Crown. To meet this demand a proclamation was issued in the King's name, promising the extension by the barons to their 'subjects' (*suggets*) of all amendments of the law granted by the King to the tenants in chief.<sup>3</sup>

Meanwhile the great question of peace with France had been definitely settled (20 May 1259), thanks to the conscientious spirit of St. Louis, who had made large concessions for the sake of peace; Henry, on the other hand, having been brought to accept accomplished facts. He surrendered all claim on Normandy, Anjou, Maine, Touraine, Poitiers, or any other part of 'France'; while Louis, among other concessions, ceded whatever he had in Perigord, Querci, and the Limousin. For these, with Gascony, Henry would render liege homage as a Peer of France, and drop the style of Duke of Normandy, retaining that of Duke of Aquitaine.<sup>4</sup>

A levy of a Thirtieth of ecclesiastical revenues was called for, to raise 5,500 marks (£3,666 13s. 4d.) due to the Bishops of Bath, Ely, and Worcester, who had undertaken obligations to

<sup>1</sup> Richard of Clare, Earl of Gloucester and Hertford, son of Gilbert. He had inherited a large share of the great Marshall-Pembroke estates.

<sup>2</sup> Dawn, 179, 180.

<sup>3</sup> Id. 180, 181.

<sup>4</sup> Id. 183, 184.

that amount to stave off an urgent threat of excommunication.<sup>1</sup> This would not help the revenue. A tallage, however, was assessed in June, but the proceeds were not to be paid in till the following year, half in November and half at Easter.<sup>2</sup> The barons' ideas had not yet risen to the height of denouncing tallages.

Grants to the Savoyards never fail. The King borrows £2,000 to be delivered to Peter of Savoy for distribution among Thomas, Amadeus, and Boniface, members of the family.<sup>3</sup>

Under the barons' control the revenue rises a little.

	£	s.	d.
Exchequer Receipts (Pells) . . . . .	16,021	8	11½
King's Wardrobe (again) . . . . .	7,800	0	0
Queen's Do. (do.) . . . . .	721	0	0
Say . . . . .	24,542	8	11½

## 44 HENRY III

(Pell Roll)

1259-1260. On the 13th October Parliament met, and next day distinguished itself by the production of a set of Ordinances of a most liberal and comprehensive character known as the Provisions of Westminster, and destined to be re-enacted at a later day as the Statute of Marlebridge or Marlborough. Heirs on coming of age not to be compelled to sue out-livery in the lord's court, but to be entitled to recover under the Royal writ of *mort d'ancestor*; wardship of lands in socage tenure to rest with the nearest relations, and under liability for waste; review of erroneous decisions in the local courts to rest with the Crown Courts. Several sections deal with the oppressive system of amercing whole districts (*communis assisa*) for trivial defects, such as non-attendance at courts on a mere summons, by a coroner or escheator. In addition to this sound legislation, the Ordinances contained temporary resolutions, like later Minutes of Council, dealing with matters of administrative detail. Among these we have provisions clearly indicating an

<sup>1</sup> Paris, Flores Hist. II. 333; Foedera, I. 368; Mitchell, 290.

<sup>2</sup> Mitchell, 289.

<sup>3</sup> Cal. Pat. Rolls, p. 16.

intention on the part of the Fifteen of keeping all power in their own hands.<sup>1</sup>

Henry, of course, gave his assent. But with all this meek submission on his part, what of the promised grant? Not a word of it. The barons should have remembered that they were bound to deal liberally with the King in money matters, not to say keep faith with him. Foreign and domestic affairs having been so far settled, Henry could now be allowed to pay a wished-for visit to France. On the 13th November he sailed from Dover, with the Queen, Edmund, and a large retinue; on the 26th of the month he entered Paris; and on the 4th December rendered homage. Five months he remained abroad,<sup>2</sup> busy with family affairs.

At home clouds began to gather, the country being disturbed by cross-feuds between the various partisans of the King, of young Edward, of Gloucester, and of de Montfort; the Prince mostly siding with de Montfort, as against the King and Gloucester.

The barons found themselves hampered by the King's absence. Parliaments had to be held at stated times. But the King very properly forbade their being held without him, as an infringement of his prerogative.

On the 24th or 25th of April Henry crossed from Boulogne to Dover. Advancing to London, on reaching Southwark he found the city in a ferment of excitement and alarm, the walls manned, the gates closed. The barons were proposing to hold a Parliament at the Temple, in spite of Henry's prohibition. But the feud between Edward and Gloucester had risen to such a point that the Mayor and Aldermen were advised to admit neither party within their walls. The King, of course, was admitted; but he thought it prudent to remain for a fortnight at the Bishop of London's Palace; while Parliament was summoned to meet at St. Paul's. The session was occupied with mutual recriminations between the King, Edward, Gloucester, and de Montfort. Edward was kept at a distance for a while, and was not restored to favour without difficulty. On the 16th May

<sup>1</sup> Dawn, 181-183.

<sup>2</sup> Id. 183-188. For the names of those going out with the King see Cal. Pat. Rolls, 54.

Parliament was dismissed, the King returned to Westminster, and seeming peace was restored.<sup>1</sup>

In conformity with the Oxford Provisions a Parliament was called to meet at Westminster on the 8th July. The session was cut short by troubles in Wales and complaints of truce-breaking. But the spiritual arm was again found the most effective weapon against the Welsh chief. Under threat of excommunication by Archbishop Boniface, Llewelyn, following the tracks of his grandfather, submitted, and signed a truce.<sup>2</sup>

Again a tallage was assessed, but to be paid in the ensuing year,<sup>3</sup> and the revenue does not rise. For the King's voyage 500 marks (£333 6s. 8d.) had to be extorted from the Jews, and the accounts of the Mint and Exchange overdrawn to the amount of £200.<sup>4</sup>

	£	s.	d.
Exchequer Receipts (Pells) . . . .	15,123	18	1
King's Wardrobe (again) . . . .	7,800	0	0
Queen's Do. (do.) . . . .	721	0	0
	<hr/>		
	23,644	18	1
	<hr/>		

## 45 HENRY III

(Pipe Roll, No. 104)

1260-1261. In the October Parliament we find the barons still able to remodel the Ministry at their pleasure. The three great posts, the Chief Justiciarship, Keepership of the Seal, and Treasury, had fallen vacant, the men appointed in 1258 having all thought it prudent to retire. The loss of Hugh Bigod as Justiciar was a distinct blow to the barons. Hugh le Despenser, a strong partisan, was appointed to succeed him; while Nicholas, Archdeacon of Ely, became Treasurer.<sup>5</sup>

But the situation kept daily growing less hopeful. Henry had received from Louis £14,580 6s. 8d. *Tournois* (£3,665 sterling) on account of the pay of 500 men-at-arms, besides 5,000 marks due to Richard. With this money in hand Henry thought that the time for shaking off the yoke of the Provisions had come.

<sup>1</sup> Dawn, 188, 189.

<sup>2</sup> Id. 190.

<sup>3</sup> Mitchell, 289.

<sup>4</sup> Cal. Pat. Rolls, 39, 40.

<sup>5</sup> Dawn, 171, 190.



In February (1261) he took up his quarters at the Tower, and called for a Parliament to meet there. But the barons declined to trust themselves within the walls of the stronghold. Advancing step by step, in May Henry turned Hugh Bigod out of Dover Castle, a necessary preliminary to the introduction of mercenaries.

But the desired dispensations had come, as well as some armed men under the Count of St. Pol. Parliament was summoned to meet at Winchester on the 12th June. When the lieges were assembled, Henry presented them with three Bulls dated respectively 13th and 29th April and 9th May. By the first Alexander IV absolved the King from his oath to the Provisions of Oxford—saving any articles that might be for the good of the Church. By the second he relieved the clergy, barons, and all others of the corresponding obligations. The reasons given were that with respect to the King and some others, their oaths had been extorted under pressure; while, generally, the Pope held that only oaths consistent with faith and truth—not oaths leading to disloyalty and depravity (*pravitatis et perfidiae firmentum*)—could be binding. The third Bull enjoined obedience to the King.

That the Bulls did not strengthen the King's cause seems certain. Neither Edward nor Henry of Allmaine, Richard's son, would take advantage of them; while the English bishops had denounced all disregard of the Provisions.<sup>1</sup>

Restored, however, as he doubtless considered himself, to the plenitude of power, the King went boldly to work. He dismissed the Chief Justiciar and Chancellor of the previous year, while sixteen sheriffs controlling twenty-three counties were turned out of office. These sweeping measures, involving the whole administration from top to bottom, provoked vehement resistance. Hugh Bigod refused to surrender Scarborough and Pickering, alleging that he held them under joint orders of the King and magnates, and that without the like authority he would not resign them. But the fiercest opposition was shown to the changes in the sheriffdoms, as affecting the greatest number of persons. To meet the general dissatisfaction Henry issued a proclamation, denying all purpose of illegal taxation, and

<sup>1</sup> Dawn, 191-193.

insisting that he had appointed men of higher class, in the interests of the general community, for their protection from wrongdoers. As a matter of fact it appears that the King's list did include more men of position than the barons' list did.

As a counter-move the barons, following the precedent set in 1259, called for three knights from every shire to meet them at St. Albans on the 21st September. The writs were issued under the joint seals of Leicester, Gloucester, and Walter Cantilupe, Bishop of Worcester, "names which show that the whole baronial party was once more united". Henry forbade the meeting at St. Albans, and called the knights to meet him at Windsor instead. Neither assembly seems to have met; but we hear of Wardens of Counties (*Custodes*) "set up by the barons" in opposition to the King's Sheriffs;<sup>1</sup> and we have in consequence a proclamation by the King denouncing all interference with his sheriffs in the discharge of their duties.

As for the revenue of the year, it springs up to a sum that the fruits of the tallages imposed in the previous year and the £3,665 received from Louis altogether fail to explain.

	£	s.	d.
Pipe Roll, No. 104 . . . . .	40,266	10	10
King's Wardrobe . . . . .	8,000	0	0
Queen's Do. . . . .	721	0	0
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	48,987	10	10
	<hr/>		

## 46 HENRY III

(Pipe Roll, No. 104)

1261-1262. Throughout the year King and barons remained at arm's length without coming to an open rupture. About the end of October (1261) Henry issued safe-conducts for the barons to meet him at Kingston, to arrange for a 'pacification', the parties thus being confessedly all but at war. Negotiations carried on through intermediaries resulted in an agreement for a reference to arbitration, at any rate on the pressing question of the right of appointing the sheriffs. A board of six with the

<sup>1</sup> Dawn, 193, 194.

King of the Romans as umpire decided in favour of the absolute right of the Crown to appoint the sheriffs.<sup>1</sup>

In December Henry received from Louis a further sum of £10,416 13s. 4d. *Tournois* (£2,604 3s. 4d.), a useful subsidy. Pope Alexander had passed away; and his successor, Urban IV,<sup>2</sup> for a time showed some hesitation as to the course he should take with regard to the Provisions. But on the 2nd May (1262) Henry was able to proclaim that the Provisions of Oxford and all acts and confederacies (*colligationes*) of the barons had been cancelled by the new Pontiff. The renewed condemnation of the Provisions made an end of all hope of a settlement by arbitration, and placed the barons in an awkward position. With all their acts condemned by the Pope, as wicked inroads on the King's authority, they were open to be impeached for High Treason; and so had their lives and property as well as their principles to defend.<sup>3</sup>

Henry, becoming alarmed at the influence that Leicester seemed to be gaining over Louis in France, resolved to try the effect of a personal visit. On the 12th July he sailed from Dover with the Queen; but was shortly attacked by a quartan fever, and for months was incapacitated from business. Abroad he remained till the 20th December, when he landed at Dover,<sup>4</sup> still in weak health.

The revenue shows a terrible fall. For the Exchequer Receipts with Louis's £2,600 we might allow £17,600; for the King's and Queen's Wardrobes the same returns as last year.

	£	s.	d.
Exchequer Receipts, say . . . . .	17,600	0	0
King's Wardrobe . . . . .	8,000	0	0
Queen's Do. . . . .	721	0	0
	<hr/>		
	26,321	0	0
	<hr/>		

<sup>1</sup> Dawn, 194-196.

<sup>2</sup> Crowned 6th September 1261.

<sup>3</sup> Dawn, 196, 197.

<sup>4</sup> Id. 197, 198. After the 14th July Philip Basset attests as Justiciar of England; Cal. Pat. Rolls, 222.

## 47 HENRY III

(Pell Rolls)

1262-1263. At the opening of the year 1263 Henry was in a very strange position. With Ministers and sheriffs of his own choice he seemed in full possession of the reins of government, yet he was really helpless in the face of the baronial opposition and the general discontent of the country. A distinct loss to his cause was the death of Richard Earl of Gloucester in the previous summer. His son Gilbert "threw himself into the arms" of de Montfort, who thus acquired entire control of the baronial party. "Fervent, eloquent, and devoted", Simon had the sympathy of all that was best in the country. The University of Oxford was with him. Even Edward hesitated to side with his father. Disapproving of the repudiation of the Provisions, the Prince for some time had kept aloof from Court. Henry, however, still clung to the hope of an accord with Simon through Louis. But on the 13th February (1263) his envoy in Paris received through the French King Simon's final answer to Henry's overtures, amounting to a declaration of war. 'The Earl did not doubt the King's intentions, but there were men around him who made peace impossible.'<sup>1</sup>

To set the ball a-rolling, Simon mustered his force by holding a Parliament of his own at Oxford (20 May 1263). A last fruitless demand for recognition of the Provisions having been addressed to, and rejected by, the King, Simon took the desperate step of declaring war against all who should refuse to accept the Provisions, that is to say, against all but the King, whose allegiance they had not formally renounced; and so we are told that the barons drew the sword in the King's name, and flying his flag. But all the King's agents and all foreigners, without distinction of class or callings, were treated as recusants. Simon led his main force westwards, to Gloucester and Bristol, also sending parties to secure Worcester and Bridgenorth, where some co-operation might be expected from Llewelyn, who was at war with Edward, if not with the King. In their advance Simon's men systematically wasted all possessions belonging to royal

<sup>1</sup> Dawn, 199, 200.

favourites, including those of the Queen and Edward. All foreign clergymen were expelled without mercy, and natives hastily installed in their places. Peter of Savoy and Archbishop Boniface had already sought safety in flight. Meanwhile patriotic bishops were urging the King to accept the barons' terms, which included acceptance of the Provisions and re-appointment of the barons' Ministers. Returning by stages from Bristol, Simon and his barons entered London in triumph on the 15th July. The Earl went straight to the Tower, and once more obtained from the King's reluctant hand an acceptance of the Provisions with some reservations. Seals and keys again changed hands, and on the 21st of the month the restoration of law and order was proclaimed.<sup>1</sup>

To sanction the new state of things a Parliament was summoned for the 8th September. But the only definite outcome of the session was the republication of the Provisions in their entirety. To this even Edward now gave his consent, we fear with little purpose of keeping his word.

But the sittings were cut short by the summons of all parties to appear before the High Court of King Louis, Henry's suzerain. This amazing proceeding had been arranged at the suggestion of the Queen, who hoped thus to get the Provisions summarily quashed. On the 23rd September Henry and Eleanor, their two sons, Henry of Allmaine, Leicester, and other barons all went over to Boulogne and there met the King and Queen of France, with a host of magnates. Complaints were showered on Simon's head in connexion with his recent outrages on private property. But he was ready with his answer. He owed no suit on such matters to the Court of the King of France. He would answer all complaints in the proper *forum*, the Court of the King of England. About the 7th October the party returned to England.<sup>2</sup>

Under such a state of things the revenue could not flourish. The Wardrobes of the King and Queen remain the same; but as they only represent aliquot shares of accounts of several years thrown together, they give no sure indication of the returns of

<sup>1</sup> Dawn, 201-205. On the 14th July Philip Basset was holding the Great Seal as Justiciar.

<sup>2</sup> Id. 205, 206. For safe-keeping Henry had taken jewels to be placed in the Temple at Paris; Cal. Pat. Rolls, 190. In May jewels had again to be pledged for £666 13s. 4d. for necessities for the wardrobe; id. 257.



the actual twelvemonth. The Pell Receipts for the Easter term are extant, and they show £3,686 15s. 5d.; the Easter Receipts of the previous three years having yielded in round numbers £5,000-£7,000 a year, or nearly double. But the troubles began in the Easter term of our year, so that the more important Michaelmas returns might not have suffered so much. Allowing two-thirds of the Exchequer's receipts of the previous year we get :

	£	s.	d.
Exchequer Receipts, say . . . . .	12,000	0	0
King's Wardrobe . . . . .	8,000	0	0
Queen's Do. . . . .	721	0	0
	<hr/>		
	20,721	0	0
	<hr/>		

## 48 HENRY III

(Pipe Roll, No. 107)

1263-1264. The October Parliament for which the two parties had hurried home gave no better signs of hope for the future than its predecessor had done. The cry for restitution and compensation grew louder and more determined; while Henry insisted on the natural right of appointing men whose offices made them members of his own Household. But this involved the vital point of the control of the King's daily acts. The end of the session saw the King and de Montfort as much at variance as ever, but the baronial party was falling to pieces, while the King was at the head of a powerful following, now rallied by Edward. The clergy, who had been the most sinned against by the King's traffickings with the Papacy, stood firmly by de Montfort. London, too, was divided. The higher class of citizens were against Leicester, but the poorer citizens were devoted to him; and, in his interest, re-elected a democratic Mayor, and swore him in.

Conscious of his inability to strike any decisive blow, Simon at last was induced to give in to the reference to the arbitration of the King of France so much desired by the King. On the 13th December de Montfort and his followers sealed their submission to the award of Louis; the King and his followers

gave in their adhesion three days later. No geographical line of demarcation can be traced between the followers of the two parties, but on Simon's side the young men predominate. The submission was absolute. Both sides swore to abide by Louis's *dictum*—whatever it should be—with regard to the Oxford Provisions, or any question arising out of them, provided only that his award was published before Whit-Sunday.

On the 2nd January (1264) Henry again crossed from Dover. Louis did not keep the world long in suspense. On the 23rd of the month he published his Award at Amiens. As might have been expected it was absolutely in favour of the King. The whole Provisions of Oxford were pronounced to be mere invasions of the Royal prerogative; the King to have the sole right of appointing such men as he might think fit, native or foreign, to all public offices from the highest to the lowest. That de Montfort and his followers were astounded needs no telling. But it is interesting to learn that the Award of Amiens was rejected by the unanimous voice of the clergy, the Londoners, the men of the Cinque Ports, and, in a word, by all the middle and lower classes of England. What made the Award absolutely intolerable was the formal sanction, if not actual encouragement, given to the employment of foreigners, their exclusion having been for all the English the pivot of the baronial policy. Henry, however, was delighted at his reinstatement in the plenitude of power. He had also come to a final settlement with Louis for the 500 men for the abortive Sicilian Crusade; he had received £19,000 and would receive £14,500 more, to be paid by instalments in two years.<sup>1</sup>

Meanwhile in the West war was again raging, the outbreak being caused by the cession by the King to Roger Mortimer, a Royalist, of some of de Montfort's lands. Llewelyn was acting with the barons against Edward and the Royalists. Gloucester and Worcester changed hands, and eventually the barons fell back on Kenilworth, while Edward went to join his father at Oxford.

Anxious for peace, Simon was induced to agree to a conference to be held at Brackley (March). He was prepared to accept the Award of Amiens, if the one article of admitting foreigners to

<sup>1</sup> Dawn, 209-211.

England was remitted. But this was just the cardinal point in dispute; Henry would not concede it, and there the final conference ended.<sup>1</sup>

On the 3rd April Henry led his army out of Oxford to reduce his rebellious subjects. His victorious advance made him master of Northampton, Leicester, and Nottingham. Meanwhile the Londoners rose and expelled the King's Justices. To strengthen their position in the South, the barons laid vigorous siege to Rochester Castle; but were forced to retire at Henry's approach from London. He pushed on to overawe the doubtful men of the Cinque Ports; but, at the report of Simon's coming, fell back on Lewes (11 May). On the same day Leicester, being at Fletching, ten miles off, forwarded an ultimatum to the King, professing to be only at war with his advisers. Henry answered that war on his faithful advisers was war on himself, and therewith 'defied' Simon and his accomplices, i. e. formally renounced their homage and declared war on them. For two more days negotiations were kept up by the Bishops of London and Worcester, Simon's envoys; then, finding accord hopeless, he in turn declared war.<sup>2</sup>

Lewes stands on the left bank of the Sussex Ouse, at the foot of a hill that in two miles makes a rise of 400 feet to an open down at top. The road from Fletching, where the barons were, skirts the hill, and overhangs the river. Had Simon advanced by that road he would have had to attack the Royalists in a very strong position. But on reaching Offham, two miles from Lewes, he turned to the right, and worked his way unseen through a hollow wooded combe, on the north side of the Lewes hill, up to the down overlooking Lewes. There he dismounted his men and set them in array, to await the Royalist attack; with a front of half a mile protected by precipitous slopes on either side.<sup>3</sup>

Nothing doubting of success, the Royalists marched up hill to the attack. Edward on the right fell on the hateful Londoners, and chased them away full two miles from the field. Returning, with horses and men alike spent with the pursuit, he found Lewes in flames, his uncle a prisoner, his father in sanctuary, and the battle lost and won (Wednesday, 12th May).<sup>4</sup>

<sup>1</sup> Dawn, 214.

<sup>2</sup> Id. 214-218.

<sup>3</sup> Id. 220-221.

<sup>4</sup> See id. 217-224 and the plan of the battle there.

During the ensuing night a convention, known as the Mise of Lewes, was sealed, a reference to arbitration being the only point to which both parties could be brought to agree. A French bishop and a French baron would represent the King, and the Bishop of London and Hugh le Despenser would speak for the barons. As umpire, Cardinal Guy Foulquois was named, a Papal Legate commissioned to anathematize Simon and all his works. The casting vote was thus secured for the King. But he would be bound to consult his advisers, and under no circumstances would foreigners be eligible for post or office in England.

Next day Edward and Henry of Allmaine placed themselves in Simon's hands as hostages. Henry disbanded his remaining forces, and gave orders for the exchange of prisoners. Ten days later peace was proclaimed.<sup>1</sup>

De Montfort now had before him the arduous task of conducting the administration of the country as a self-elected *Maire de Palais*, in the name of a most reluctant King, and that with the major part of the ruling classes in bitter opposition and smarting under a sense of humiliation and defeat. Turning to the quarter from whence he might best expect support, Simon issued the writs for the celebrated Parliament of June 1264, directing the return of four knights of the shire to represent each county in the national assembly. The outcome of the session was the production of an elaborate system of government, amounting to a Triumvirate, in the persons of de Montfort, Gloucester, and Stephen Berksted, Bishop of Chichester, a man of high character. Fruitless attempts at negotiation with Guy Foulquois, who would not listen to a word in favour either of the Provisions or of the Mise, lasted the rest of our twelvemonth. In the West, refractory March Lords commanded a series of castles from Bristol to Chester, all held defiantly in Edward's name.

In view of a threatened invasion from Flanders got up by the Queen and her uncles, the bishops agreed to the levy of a Tenth from the clergy 'for the good of the realm'. As usual each bishop would collect the tax in his own diocese. Simon directed them to pay the proceeds in at once. But the Pope ordered them to hand over the receipts to Ottobuone (September 1265), and he eventually paid them to the King.<sup>2</sup> Clearly the year's revenue

<sup>1</sup> Dawn, 225-228.

<sup>2</sup> Mitchell, 290, citing Bliss; Calendar, I. 432.



did not profit by these Tenths ; neither can we say what became of all Louis's money. The Pipe Roll for the Exchequer Receipts returns £11,833 10s. 8d. For the King's Wardrobe we will allow £3,000 ; while the Queen's Wardrobe again stands at £721.

But the Exchequer must have shared the general confusion of the time.

	£	s.	d.
Exchequer Receipts . . . .	11,833	10	8
King's Wardrobe, say . . . .	3,000	0	0
Queen's Do. . . . .	721	0	0
	<hr/>		
	15,554	10	8
	<hr/>		

## 49 HENRY III

(Pipe Roll, No. 108)

1264-1265. The March Lords having been somewhat reduced to order, on the 11th January 1265 the writs were issued for " the great Parliament of 1265 ". The assembly met on the 20th January, and comprised not only two knights from each shire, but also two burgesses from each city and borough, the latter an entire novelty, thus presenting the first complete Parliament that ever met in England.<sup>1</sup>

The proceedings were prolonged, and well they might be, considering that the assembly had been summoned to decide on the momentous question of the liberation of Edward. Simon could not refuse to treat, yet it is clear that no guarantees that the Royalists could offer would induce him to surrender the precious pledge on which his very existence depended. On the 10th March Edward notified the kingdom of the terms on which he and his cousin would be liberated. These included the entire acceptance of the constitution of the previous year. Next day the two Princes were publicly handed over to the King in Westminster Hall, and the conditions recited. The whole affair must be pronounced a mockery and a sham, if not worse. Edward simply walked from one prison to another. Henry of Allmaine did not even change his keeper.<sup>2</sup>

But so strained a situation could not last. On the 28th May

<sup>1</sup> Dawn, 234.

<sup>2</sup> Id. 234-237.



Edward slipped his chain at Hereford, and the game was up. Mortimer was waiting for him in a wood, and took him on to Wigmore, and from thence to Ludlow, where he came to a complete understanding with Gloucester, who had now quite broken with de Montfort. Edward at once declared war against Simon; the Welsh March becoming the scene of sieges and counter-sieges. Leicester signed a treaty with Llewelyn, and made a tour through Wales, where he spent nearly a month presumably picking up recruits. Recrossing the Severn to Hereford, not without difficulty, he called on his son, who was in command at Dover, to hasten to his support. Young Simon failed to appreciate the urgency of the case. He first wasted time in petty operations between London and Winchester; and when he did respond to his father's call, he was content to advance at the leisurely rate of nine miles a day, so that fifteen days were spent on the 135 miles between Winchester and the family stronghold at Kenilworth, which was reached on the 31st July. Apprised of his movements, Edward and Gloucester, after a forced night-march of thirty-five miles from Worcester, fell on the village of Kenilworth at day-break on the 1st August, and surprised the dilatory enemy in their beds. Ten barons and bannerets were taken prisoner, Simon junior escaping to the castle in his night clothes.<sup>1</sup>

Much about the time, if not on the very day when his son was nearing Kenilworth, Simon broke up at Hereford, crossed the Severn below Worcester, and, on the 3rd August, rested at Evesham. Having word of his son's march on Kenilworth, but not of the disaster that had befallen him, the Earl was evidently advancing to meet him by way of Alchester.

Evesham is surrounded by a loop of the Avon, only open to the North where the ground rises rapidly. The road from Evesham to Alchester is in fact a prolongation of the main street of Evesham, leading due North up the heights. At the summit, at a distance of a mile from the town, it is intersected by a cross-road. The slopes of the hill at present are covered with orchards, but at the time of the battle it must have been laid out either as open fields or pasture land. On the morning of the 4th August, Simon was preparing to resume his march towards

<sup>1</sup> Dawn, 237-243.

Alchester, when the van of an armed force was seen advancing along the cross-road making for the highest ground. Conspicuous in the van were the banners taken at Kenilworth. For a few moments Simon's men might cherish the belief that the newcomers were friends. Closer scrutiny soon detected Edward's Lion, and Gloucester's Chevrons in the rearguard. The Royalists, after a circuitous march of some twenty-five miles from Worcester, were hastening to secure the hill dominating Montfort's position. Having measured their forces he realized that the issue was hopeless. 'May God have mercy on our souls, for our bodies are theirs.' He urged friends to seek safety in flight, but they refused to desert him. Pressing undauntedly up the hill to the left of the Alchester road, he endeavoured to reach the cross-road before the enemy had established themselves on the heights, but could only gain a jutting spur abutting on the road. Here he drew up his forlorn band in solid circular formation. Surrounded as Simon was, the action became a mere butchery: his men fought it out till all were taken or killed. An obelisk identifies the spot where he himself fell. The unfortunate King, who had been brought out to grace the ranks of his adversary, was struck on the shoulder, and might have been killed.<sup>1</sup>

Again was Henry III King in fact as well as in name. Peace and tranquillity might have ensued at once had the King been content to be moderate. Sanguinary retribution was not to his purpose. What apparently presented itself to his petty mind was the opportunity for seizing lands and amassing money. Confiscation or amercement would await all disloyal classes. A Grand Council held at Winchester in September was alleged to have empowered the King to seize the lands of all who had ever at any time acted against him, Gloucester and his men only excepted. The matter stood over; but Henry all the same issued writs appointing men to take all such lands into hand, and return their value by the 13th October.

To help the Exchequer we hear of "fines", or, to speak more correctly, amercements and tallages being inflicted on disloyal bishops and cities to an amount exceeding £14,000.<sup>2</sup> Where this money went we know not. But Pipe Roll No. 108 gives us for the Exchequer Receipts of the year the sum of £16,498 5s.

<sup>1</sup> Dawn, 243-246. See also the plan there.

<sup>2</sup> Mitchell, 291.

This sum we may note included £751 7s. 6d. from Sees in hand, with £1,614 from the Tower Mint and Exchange.

Revenue :

	£	s.	d.
Exchequer Receipts . . . . .	16,498	5	0
King's Wardrobe . . . . .	2,365	0	0
Queen's Do. . . . .	1,150	0	0
	<hr/>		
	20,013	5	0
	<hr/>		

## 50 HENRY III

(Pipe Roll, No. 109)

1265-1266. From passing edicts of confiscation at Winchester Henry advanced to Windsor, to reduce London to a state of consternation by informing the citizens that he would be content with nothing less than an absolute surrender of themselves, their lives and property, to be dealt with at his pleasure. On the 4th October (1265) forty of the chief men of the city rode out to Windsor under safe-conduct to make a formal surrender of their civic franchises. The whole were immediately immured in the Round Tower. Entering London, Henry turned sixty families out of house and home, took as many more as hostages, and finally exacted an amercement of 20,000 marks (£13,333 6s. 8d.) levied from innocent and guilty alike—the City remaining still in hand.<sup>1</sup>

On the 13th October Parliament resumed. Henry, in despite of protests from the King of the Romans and others, succeeded in obtaining power to confiscate the lands of all who had sided with de Montfort. Chief of those who profited by the distribution of the spoils was the King's second son Edmund, afterwards named Crouchback from his habit of stooping. He was created Earl of Leicester; the grants eventually lavished on him became the foundation of the vast appanage that enabled his representative in the fourth generation to usurp the throne.

In the course of the month, heartbroken, the Countess of Leicester, Henry's sister, abjured the realm with her sons Amauri and Richard; while Queen Eleanor returned, bringing

<sup>1</sup> Dawn, 250. The tax came to one-fourth of all incomes—£25 per cent.

with her, to add to the general confusion and alarm, a Papal Legate, Ottobuone di Fresco.

The consequences of Henry's reckless proceedings now began to appear in risings of the Disinherited Barons, as they were called. Young Simon, leaving a strong garrison at Kenilworth, went off to establish a base of operations at Axholme. A regular siege was needed to bring him to terms. He was required to surrender Kenilworth and abjure the realm on a pension of 500 marks. But the garrison at Kenilworth refused to march out; while Simon, making his escape from Edward's hands, joined the men of the Cinque Ports, who were indulging in a system of privateering that destroyed all commerce. Determined to suppress this evil, Edward fought a pitched battle with the marauders at Winchelsea, defeated them, and having humbled them, restored all their charters and liberties. Simon and his brother Guy having again escaped from confinement, finally crossed the Channel to find employment in Italy as soldiers of fortune.<sup>1</sup>

Meanwhile the Disinherited Barons were playing havoc in all directions, the details being too minute to be given here. Their head-quarters were at Kenilworth, a stronghold whose massive walls with outer ward, inner ward, and keep were eminently suited for a central military post. Detached operations kept Edward flying from one place to another till June. At last on the 24th or 25th of the month, he and the King invested the place, but the barons kept him at arms' length, sallying perpetually. Their determined resistance gave weight to the counsels of those who advised a compromise. Arbiters were appointed in a Parliament held at Kenilworth in August. Their labours resulted in an Ordinance known as the "*Dictum de Kenilworth*", ratified by a Parliament convened for the purpose. The Ordinance began by reaffirming the plenitude of the King's authority, thus tacitly repealing the Provisions of Oxford and all obligations entered into by the King or Edward in connexion therewith. But the important clauses were those defining the terms on which de Montfort's followers would be allowed to recover their estates. The scheme adopted was that they should redeem the lands on payment of compositions

<sup>1</sup> Dawn, 250-253.



varying from one year's purchase to five years' purchase, according to the degree of their delinquency as defined by the Ordinance. But all the de Montforts were wholly excluded.

The terms were hard, but want and cold were beginning to tell on the garrison at Kenilworth; and all hope of succour from abroad was gone, Louis having forbidden any to be sent. To save their honour they claimed the usual forty days' respite, pledging themselves to surrender at the end of the time if not previously relieved. The days having expired they marched out with all the honours of war.

For the expenses of the war special taxation was necessary. Moreover, the Pope's tribute had not been paid for five years. Clement IV<sup>1</sup> (late Guy Foulquois) was induced to grant a Tenth of the spiritualities and temporalities of the clergy for three years with the usual exemption in favour of certain Orders. The grant was confirmed by the English bishops. But Ottobuone proposed to apply the proceeds to the liquidation of outstanding liabilities for the Sicilian Crusade; the King to be indemnified by a special grant of £20,000 from the clergy. Henry also asked to be relieved of £6,000 borrowed by his agents at Rome; while the Legate ventured to talk of a fresh Crusade. It really seemed as if all the agonies of the last nine years had been endured in vain. The clergy, at last, taking a common-sense view of the matter, protested against a Crusade as a waste of national resources, and refused to make any grant beyond the Tenth.<sup>2</sup> We are told that the Tenth was to be assessed 'according to the true and not according to the old valuation'.<sup>3</sup> Nevertheless, we shall find that the Norwich valuation of 1254 was the assessment on which the first Tenth was raised. Of course, nothing of them would figure in the revenue of our year, the 50th.

In the disturbed state of the country, distracted with war, the revenue sinks to the lowest. The Pipe Roll returns £11,590. The accounts of the King's Wardrobe of the year are wanting. For the previous year they stood at £2,365; for the following year they stand at £5,000; we may say £4,000 as a medium.

<sup>1</sup> Crowned 22nd or 24th February 1265.

<sup>2</sup> Dawn, 159, 160.

<sup>3</sup> Mitchell, 292 and authorities there cited.



	£	s.	d.
Exchequer Receipts . . . . .	11,590	0	0
King's Wardrobe, say . . . . .	4,000	0	0
Queen's Do. . . . .	1,150	0	0
	<hr/>		
	16,740	0	0
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## 51 HENRY III

(Pipe Roll, No. 110)

1266-1267. Hostilities did not cease with the surrender of Kenilworth. A party of barons had seized the Isle of Ely—that last refuge of the outlaw. East Anglia was overrun by them. “But the most formidable hindrance to peace arose from the conduct of the Earl of Gloucester”, who, now that all rivalry with de Montfort was gone, came forward as leader of the national party, harking back on the Provisions and complaining of the presence of foreigners.<sup>1</sup> He advanced with an army to London; the citizens closed their gates, but through the weakness of the Legate Ottobuone, he was allowed to enter and take charge of the city.<sup>2</sup>

Helpless between the rebellion in Ely and the armed demonstration in London, the King remained at Cambridge endeavouring to raise troops. Having been joined by Edward with forces from the North of England and Scotland, on the 5th May he appeared at Ham to the East of London. For five weeks and more he remained at Stratford-le-Bow keeping up the semblance of a siege of London, the city being entirely open on the South, with outlaws from Ely, established in Southwark, free to commit depredations in Kent and Surrey. Negotiations were at last opened, the King of the Romans and his son Henry acting as mediators. Gloucester's effort could lead to no results, but he was strong enough to insist upon free pardon for all that had happened since he began his advance from the Welsh March. On the 15th June the King conceded those terms, undertaking, moreover, to save the Londoners from all suits or actions for damages, except suits between traders in the ordinary course of business.

This convention made the reduction of Ely easy, a hot

Dawn, 258, 259. Gloucester was Gilbert II of Clare surnamed the Red.

<sup>1</sup> Id. 259-261.

summer having reduced the waters of the Ouse to their lowest ebb. Edward gained a footing in the Island through local help, and again disarmed resistance by offering free pardon to all belligerents. On these easy terms Ely was surrendered on the 11th of July.<sup>1</sup>

The pacification of the year ended with a treaty with Llewelyn, who had greatly profited by the disturbances of the last two years. He was only required to surrender Mold and Hawarden, being allowed to retain all his other conquests, including Abergavenny, Kerry, and Whittington, while he actually received a grant of the four Cantreds of Perveddwlad, i.e. almost the whole of the modern counties of Denbigh and Flint. The style and title of Prince of Wales was also conceded. By the treaty Edward practically surrendered all his Welsh possessions "except Carmarthen and its appurtenant lands".<sup>2</sup>

As concerning revenue the first year of the Triennial Tenths granted in 1266 might be expected to come in. But the continued disturbances would seriously affect the collection of the tax. The King had been led to expect that the Tenth would be levied, not on the Norwich assessment of 1254, but on a new and enhanced valuation; but Ottobuone insisted on the tax being levied by the clergy, and they kept to the old valuation. Then a sum of 7,000 marks (£4,666 13s. 4d.) had to be sent to the Pope, seven years of his rent, only five years being due; while Clement graciously granted 60,000 *Livres Tournois* (£15,000) out of the Tenths to Queen Eleanor for payment of her debts, which by the end of 1264 had amounted to that sum.<sup>3</sup> But to the settlement of her indebtedness the Scottish clergy are invited to contribute.

Anyhow, our Pipe Roll (no Pell being extant) only shows a rise of £7,000 on the total of the previous year:

	£	s.	d.
Exchequer Receipts . . .	18,825	9	11
King's Wardrobe, say . . .	5,000	0	0
Queen's Do. . . . .	1,150	0	0
	<hr/>		
	24,975	9	11
	<hr/>		

<sup>1</sup> Foedera, I. 473; Bliss, I. 423, 424.

<sup>2</sup> Rhys and Brynmor-Jones, Welsh People, 332; Dawn, 261-263.

<sup>3</sup> Pipe Roll, No. 108; 49 Henry III; Dawn, 264 note; Bliss, Calendar, I. 433.

## 52 HENRY III

(Pipe Roll, No. 111)

1267-1268. That the Disinherited found it very difficult to raise the money for the redemption of their estates may readily be believed. A general contribution for their benefit would not seem an ungracious or uncalled-for measure, considering the national importance of effecting a settlement of their position. But the clergy were still the only class that Government could venture to tax. The Legate accordingly in a Council held at St. Paul's in April (1268) gave his sanction to the imposition of a Twentieth on the clergy, nominally on behalf of the Disinherited, the money, however, to be paid to the King to induce him to mitigate his wrath against them. Some of the money, however, does seem to have reached the pockets of Disinherited men. Of course, the Twentieth was in addition to the second year of the Tenth.

Two months later Ottobuone wound up his mission by preaching the Crusade in a Parliament held at Northampton on the 24th June, and preached it with such effect that the King's two sons, Henry of Allmaine, the Earls of Gloucester and Surrey, and William of Valence, with a hundred and twenty other knights and bannerets, took the Cross on the spot.

Peter of Savoy, the Queen's uncle, died during the year. Passing over a daughter, he bequeathed his palace in the Strand to the Queen.

In the matter of revenue the second year of the Triennial Tenth was available. Ottobuone had insisted on the Tenth of the first year being levied on the old valuation. But he left England in the course of the summer, whereupon Henry sent out officers to make out a new assessment with the help of local juries. The valuation must have been almost trebled. The clergy asserted that in some cases the new assessment had raised the valuation of their property from ten marks to twenty-six marks. In consequence, the bishops proposed to compound for the two remaining years, the current year and the next, offering three years at the old valuation, instead of two years at the new. The composition in the dioceses of Worcester, Bath, Salisbury,

Winchester, London, Norwich, Ely, Lichfield, and Lincoln came to about 40,000 marks (£26,666 13s. 4d.).<sup>1</sup> Then there was the Twentieth for the Disinherited; while, lastly, we hear of a sweeping tallage, the yield, however, not being recorded;<sup>2</sup> altogether our Pipe Roll (No. 111) shows the handsome sum of £41,952 9s. 7d.

	£	s.	d.
Exchequer Receipts . . . . .	41,952	9	7
King's Wardrobe . . . . .	5,000	0	0
Queen's Do. . . . .	1,150	0	0
	<hr/>		
	48,102	9	7

From the bishops' offer of £26,666 13s. 4d. as equivalent to a composition for two years of the Clerical Tenth under the Norwich valuation we gather that that assessment ran from £13,000 to £14,000.

### 53 HENRY III

(Pipe Roll, No. 112)

1268-1269. The last four years of Henry's reign were passed "in the monotony of a feeble despotism". No further importations of foreigners were attempted. Henry's objectionable favourites had mostly passed away; those still living settled down in their places in English society. Grand Councils, or Parliaments of magnates in the old style, were regularly summoned at the usual periods; but their proceedings were more marked by talk than by business. If any feeling of sympathy for the King had arisen while he was kept in leading-strings by de Montfort, his treatment of the vanquished had speedily dispersed it. But the conduct of affairs was passing more and more into the hands of his able and successful son.

A Parliament that met in April 1269 distinguished itself by

<sup>1</sup> See Mitchell, 293 and the authorities there cited. The Abbot of Bury having paid for one year on the old assessment pays for three more on the same footing to avoid the new assessment. The chroniclers tax the King with having extorted the Tenth for a fourth year. "*Per quadriennalem decimarum extorsionem*"; Wykes, Florence.

<sup>2</sup> Mitchell, 294.

passing a measure to relieve persons in debt to the Jews of some of their liabilities. A practice had grown up of raising money by annuities, possibly perpetual annuities. These in time would be found very burdensome. Not only were the grants of such annuities now forbidden for the future ; but all existing grants were ordered to be given up. The Ordinance was passed at the instance of Edward and Henry of Allmaine.<sup>1</sup> Edward's treatment of the Jewry was not destined to be a creditable feature in his career.

On the part of the Government the measure involved a certain amount of self-sacrifice and loss to the fisc, our Kings till then having held themselves the residuary legatees of all debts due to Israelites. The reader will remember how the debts due to Aaron of York figured under Henry II and Richard ; also the special heading of " Debts of Jews " in our analysis of the revenues of the 5th year of the present reign.

But for the moment the Heir Apparent was chiefly taken up with preparations for his pilgrimage to Holy Land, a very ill-timed project it would seem to us, with all the wounds of the civil war still fresh and bleeding. His action, however, shows how general Crusading ardour still was.<sup>2</sup>

Various motives may have contributed to determine his action, among them we would suggest, perhaps, the wish to atone for aught that might weigh on his conscience of the doings connected with the civil war. Edward had at any rate the weighty example of the King of France to encourage him. Louis was preparing to indulge the preoccupation of his life, by undertaking another Crusade. To him Edward naturally turned for the necessary financial assistance. He went over to Paris in August, and effected a satisfactory arrangement with the King. Louis would advance 70,000 *Livres Tournois* (£17,500) to be repaid by instalments charged on the revenues of Gascony. Edward pledged himself to be at Aigues-Mortes by the 15th August 1270, if possible, and at any rate to join Louis wherever he might be, as one of his barons, and to act under his orders while 'on pilgrimage'.

As a further contribution towards Edward's expenses "at some time before August 7, 1269"—the date is uncertain<sup>3</sup>—

<sup>1</sup> Dawn, 268.

<sup>2</sup> Id. 269.

<sup>3</sup> Mitchell, 295.



the lay and clerical tenants-in-chief granted a Twentieth of the movables on all lands held by knight's service, but the final adjustment of the tax was held over till 1270.

For the revenue of our year our Pipe Roll gives the Exchequer Receipts as £27,532 16s. 2d. The King's Wardrobe again stands at £5,000, and the Queen's Wardrobe at £1,150.

	£	s.	d.
Exchequer Receipts . . . .	27,532	16	2
King's Wardrobe . . . .	5,000	0	0
Queen's Do. . . .	1,150	0	0
	<hr/>		
	33,682	16	2
	<hr/>		

## 54 HENRY III

(Pipe Roll, No. 113)

1269-1270. At home the most interesting event of the year was the consecration of New Westminster Abbey, that is to say of the church so far as rebuilt by Henry. The ceremony was held in connexion with the Second Translation of the Confessor King, or the removal of his remains from the place where they had been deposited in the time of Henry II, to the new and beautiful shrine where they still repose.<sup>1</sup> The day appointed was that of the original Translation, namely, the 13th October, the King's great day.

The usual October Session of Parliament followed, when the King pressed for a confirmation of the provisional grant of a Twentieth for Edward's Crusade, made in the previous summer. The details, however, were again left to be settled by the Easter Parliament of 1270 (27 April), when the bishops and Heads of religious Houses agreed that the Twentieth should be paid on their demesne lands—the grant not to form a precedent. This is important, as indicating that without special concession demesne lands would not be liable to taxation. It was also ultimately agreed, but not without demur, that the property of the churches and beneficed clergy should also contribute;

<sup>1</sup> Henry's work ends in the middle of the first bay west of the crossing, the change of style is clear in the clerestory windows; G. G. Scott, *Gleanings from Westminster Abbey*, 24.

while Henry, on his grandfather's principle, thought himself entitled to levy a tallage of a Twentieth on the towns and Royal demesnes. In contemplation of the grant, a new mode of assessment of movables had been introduced in the autumn, differing but slightly from those of 1232 and 1237. Four assessors, knights, were sent into each county; they chose twelve men from each Hundred; the latter chose six men from each township (*villa*), who swore to the value of the goods of every man in the township except their own, which would be valued by six other men; the goods would be valued as found on Michaelmas Day (29 September). The money was sent up to London to be placed under the charge of three men, namely, the Treasurer of the Temple, the Treasurer of the Hospital of Clerkenwell, and a man, ex-clerk of the Wardrobe; the fund to be stored in the Temple, and held in deposit till the King or his son should sail. The complete account of the tax was not rendered till 1273, but much of the money had been paid before Edward sailed.<sup>1</sup> The account as rendered stood as follows:

	£	s.	d.
Counties . . . . .	27,013	0	7½
Cities and towns . . . . .	2,086	1	4
Bishops . . . . .	541	6	8
Abbots and priors . . . . .	1,848	9	3
Total . . . . .	31,488	17	10½

But a sudden hitch in the situation was caused by a fresh coolness that had arisen between Edward and Gloucester. Gilbert was absenting himself from Councils and Parliaments, and he utterly refused to join Edward in his Crusade. Both were ultimately induced to submit their differences to the arbitration of the King of the Romans. His award was finally published in June; Gloucester to fulfil his vow by going to Palestine, but not necessarily with Edward.

The last preparations for Edward's pilgrimage were then hurried on. Already, as a final act of pacification, he had induced the King fully to reinstate the Londoners in their franchises. Once more the City rejoiced in a Mayor and sheriffs of its own free choosing. But the farm was raised from £300 to £400

<sup>1</sup> See Mitchell, 297-299, from Madox, I. 610.

per annum. Before 1191 it had ranged from £520 to £530 per annum,<sup>1</sup> a clear overcharge.

On the 4th August the King decorated his son with his own Cross, committing to him the fulfilment of the vow that he could no longer hope to redeem in person, at the same time assigning to him the whole proceeds of the Twentieth. On the 5th August Edward took leave of the Winchester Chapter, requesting the benefit of their prayers, and then started for Portsmouth. But on the road the news reached him of the death of Archbishop Boniface, who had passed away in Savoy on the 18th July; whereupon Edward hastened to Canterbury to press for the election of his Chaplain and Chancellor, Robert Burnel. But the monks had a man of their own in their eye, their Prior, Adam of Chillenden, whom they meant to elect, and they declined to hamper themselves by any pledges. Much mortified to find his efforts fruitless, Edward finally set sail from Dover on the 20th August. His faithful wife had already gone to Gascony on the way; while Henry of Allmaine and his newly-married wife, Constance of Bearn, embarked about the same time. Seventy-nine Crusaders, barons, knights, esquires, and clerics had received safe-conducts to accompany the Prince. Shortly to follow his movements: after landing, presumably at Bordeaux, he made his way to Aigues-Mortes, the appointed trysting-place, to learn that the French King had succumbed to dysentery at Tunis, and his whole expedition come to utter grief. Nevertheless Edward thought it his duty to make arrangements for joining the young French King, Philip, third of the name, at Tunis. In the meantime he accepted the invitation of Charles II, King of Sicily,<sup>2</sup> to spend the winter with him.

For the revenue we have to deal with an anomalous Pipe Roll presenting novel and mysterious entries as follows:

	£	s.	d.
Queen's Wardrobe . . . .	7,546	11	5
"Westminster" [ <i>sic</i> ] . . . .	2,422	1	3
Issues of King's Seal . . . .	2,959	15	4
King's Wardrobe . . . .	37,264	13	4
	50,193	1	4

<sup>1</sup> See Round, *Commune*, 232; Dawn, 269-271.

<sup>2</sup> Surnamed 'The Lame', son of Charles I of Anjou, son of Louis VIII of France.

Here the £37,264 13s. 4d. returned under the King's Wardrobe must be held to include money on account of the Twentieth for Edward's Crusade. But how much should be deducted we cannot say; further, the sum must be held to include not only the sums paid directly into the Wardrobe, of which alone we take account, but also the transfers from the Exchequer. Then for the Queen's Wardrobe we have the equally unusual return of £7,546 11s. 5d.; but this again must include transfers from the Exchequer, the Enrolled Accounts only showing £1,150 of direct receipts. The three first items above given, together would give only £12,928 8s. for the Exchequer Receipts. But that again would be clearly too little.

	£	s.	d.
Exchequer Receipts, say . . . . .	25,000	0	0
King's Wardrobe . . . . .	5,000	0	0
Queen's Do. . . . .	1,150	0	0
	<hr/>		
	31,150	0	0
	<hr/>		

## 55 HENRY III

(Pipe Roll, No. 114)

1270-1271. Henry, whose health and strength had long been failing, soon began to miss the support of his energetic son. On the 6th February (1271) he writes to Edward, confessing himself unequal to business, and pressing him to come home; if the King of the Romans should be called to Germany, or to Italy, England would be left without an effectual head.

In fact a strong government was much needed. The country was still in a very disorderly state; great men defied the law; we hear of a baroness in her own right, a woman in weak health, and probably elderly, being carried off and forced to marry her abductor. Brigandage and petty crime were rife, and sometimes even belted knights had to be sent to the gallows.<sup>1</sup>

It was presumably in answer to his father's appeal that Edward sent off Henry of Allmaine in company with young Philip of France and the King of Sicily. Philip was going home to be crowned; Charles was anxious to hasten the work of the

<sup>1</sup> Dawn, 274.

Cardinals who were sitting in Conclave at Viterbo. Clement IV had passed away fifteen months before; but the Papal Chair was still vacant. On the 9th March the distinguished party reached Viterbo, between Rome and Florence, travelling under Charles's protection. They found the two de Montforts, Simon and Guy, at Viterbo. Guy, a man of considerable military capacity, was high in favour with King Charles, who had appointed him Deputy Vicar of Tuscany. Simon, less in request as a soldier, had linked his fortunes to those of his brother. On Friday, 13th March (1271), the two Kings attended the usual daily Mass in the church of the Franciscans, while Henry of Allmaine attended the service in another church. Just as Mass was ended, before Henry had risen from his knees, his cousins burst into the church, crying "Thou traitor, Henry, thou shalt not escape". Henry sprang to the altar, but the altar gave him no protection. Of two officiating priests who endeavoured to protect him, one was killed outright, the other left for dead. Henry's cries for mercy were met with the monstrous retort, "*Tu n'eus pas pitié de mon père et de mes frères.*" Henry had not been at Evesham, and his conduct and that of his father, throughout the troubles, had been marked by the greatest consideration to the rebels. On the 15th May his corpse was brought to London; his heart was buried in a gilt urn at Westminster, by the shrine of the Confessor; and his body finally laid to rest on the 21st of the month at Hayles in Gloucestershire, his father's foundation.<sup>1</sup>

For the revenue we can only allow the most moderate average, without extra taxation of any sort.

	£	s.	d.
Exchequer, say . . . . .	16,000	0	0
King's Wardrobe . . . . .	5,000	0	0
Queen's Do., say . . . . .	1,150	0	0
	<hr/>		
	22,150	0	0
	<hr/>		

<sup>1</sup> Dawn, 274, 275.



## 56 HENRY III

(Pipe Roll, No. 115)

1271-1272. At home the reign of Henry III was rapidly winding itself up. The unfortunate King of the Romans never rallied from the blow dealt him by the de Montforts. On the 12th December he fell ill and finally passed away on the 2nd April 1272. Richard was certainly an abler, and probably a more honest man than his brother. With Richard gone and two sons in Palestine, the old King was now left almost alone in the world, yet matters needing delicate handling were not wanting. By the treaty of Paris the reversion of certain lands in Saintonge south of the Charente, the Agénaïs, and Querci, had been assured to Henry on the death of the Count of Poitou and his wife; the payment of an interim rent of 1,200 marks for the Agénaïs having been undertaken by Louis. The Count and his wife having succumbed to the Crusade, Henry was prompt in demanding assignment of the lands.<sup>1</sup>

Then trading intercourse between England and Flanders, usually so friendly, had been suspended. The aged Countess Margaret had suddenly demanded satisfaction of an unrecorded pension of £400 a year, alleged to have been granted by the King; and had not only seized but sold goods belonging to English merchants. Henry retaliated by arresting all Flemish goods, and forbidding all export of wool to Flanders. Ultimately all Flemings in England not engaged in weaving cloth were ordered off. The dispute remained unsettled at Henry's death, and, like the negotiations with France, was bequeathed to his successor.

Domestic turbulence harassed the last hours of the dying King. On the 11th August the cathedral and conventual buildings at Norwich were attacked by an armed mob of the townspeople, as the climax of a series of disputes between the Prior and the city. Three days the riots lasted; the cathedral treasury was plundered, and the monks scattered. Henry came to Norwich and held a Bloody Assize in which some thirty-four men and one woman were executed.

<sup>1</sup> Dawn, 227, 278.

Henry returned to Westminster, only to be worried to death by a disputed election to the Mayoralty. On the regular day the aldermen had elected Philip le Taylour. But the lesser people, who apparently claimed a veto, if not a direct voice in the election, insisted on having one Walter Hervi or Harvey, a man who had been Mayor before and had ingratiated himself with the people. Both parties at once marched to Westminster to press their views upon the Council. The Council, loath to disturb the King, but afraid to decide without him, put them off, telling them to settle the matter themselves. So it went on, neither party giving way. Day after day the whole collective mob of London met and howled in Westminster Hall, within earshot of the dying King.

On Wednesday, 16th November, Henry was gathered to his fathers. On the fourth day from his death, namely Sunday, 20th November, he was buried in Westminster Abbey. The funeral rites concluded, allegiance was sworn to 'Our Lord King Edward'. "Thus for the first time the reign of the new King began both in law and in fact from the death of his predecessor."<sup>1</sup>

The year's revenue comes out as follows :

	£	s.	d.
Exchequer Receipts . . .	27,428	13	0
King's Wardrobe (as before) . . .	5,000	0	0
Queen's Do., say . . .	1,150	0	0
	<hr/>		
	33,578	13	0
	<hr/>		

It was not to be expected that Henry, weak and unpopular, would succeed in raising the revenue obtained by the drastic methods of his unscrupulous father. We gave John credit for an average income of £45,000 a year, £34,000-£35,000 would represent as much as we could allow for Henry's revenue, even assuming the £10,000 a year of Edward's allowance from 1257 onwards to have been fully paid, an unlikely circumstance, considering the straits of the time. But it must be pointed out that Henry was perpetually alienating resources in favour either of members of his own family, or of foreign favourites, or of

<sup>1</sup> Stubbs, Const. Hist.; Dawn, 280.

magnates offering mercenary allegiance. In 1246 a pension of £1,000 a year is granted to Amadaeus of Savoy in return for homage and the over-lordship of Susa and the Fort de Bard; the Count having tickled Henry's vanity with the idea that he was giving him the control of the best-known passes of the Alps.

As a case of wanton alienation of property, we take the cession of the Agénais rent of £800 to the King's son-in-law, John of Brittany.

Turning to details of the Receipts, we find that the vacant Sees, at any rate in the latter part of the reign, still figured in the revenue. The abnormal totals of the accounts of the King's Wardrobe for the 22nd and 23rd years (£8,622 each), and those of the 24th and 25th years (£15,000 each)<sup>1</sup>, were due to vacancies at Durham and Winchester,<sup>2</sup> with a further vacancy at Canterbury to follow. Ireland could remit £2,000 in a year, but on the Wardrobe Accounts £1,200 or less was a more usual sum.

For the Mints and Exchanges at London and Canterbury, the proceeds of the latter being shared by the Archbishop, the best return that we have is that for two years 1247-1249—together given as £5,077, or £2,538 10s. a year—nothing paid into the Treasury, so that we probably here have the full issues. All the other returns found in the Wardrobe are less. In 1239-1241 for a year and seven months we have £3,092 returned as the whole, including the Archbishop's share.

For the Customs revenue, so hard as yet to trace, we have a statement in the *Liber de Antiquis Legibus* that in 1266 they were farmed by Edward to Italian merchants for 6,000 marks, or £4,000 a year. If the statement is correct, it would imply an immense advance on anything that we have hitherto discovered. But on such a point nothing short of Record evidence can really be trusted. Henry was in the habit of borrowing when and where he could. Entries of loans swell the Wardrobe Accounts, as in the big returns for 1240-1241, where £5,000 borrowed in Gascony come in. But we may question whether the King's income profited by his borrowings. The question of interest on the King's loans has been raised. Cases have been adduced where

<sup>1</sup> See Table.

<sup>2</sup> £3,290 from Winchester and £5,284 from Durham, 1238-1240; and £2,486 from Winchester, 1261-1264; Dawn, 299.

the sum repaid was exactly the sum borrowed. The fact appears to be that in the bonds and mortgages of the time (and till quite recently), a day used to be appointed for the repayment of the money. Interest did not accrue till after the day fixed for repayment had passed. On the 10th March 1232 Henry borrowed 1,200 marks from Florentine merchants. The terms were that the money was to be repaid at Michaelmas; failing payment, interest or damages would run thenceforward at the rate of £10 per cent. per month. So in 1266 we find Lucchese merchants claiming £388 7s. 5d. as interest on £1,500 "*pro superusagio de pecunia de anno precedente*", 'for over-retention of the money,' i.e. after the stipulated term of repayment. If the money had been repaid punctually no interest would have been due. An advance on which interest ran from the first passed as usury.<sup>1</sup>

Receipts from the Jews or payments in respect of moneys due to them (*Judaismus*) appear as a standing item on the Rolls, as in our analysis of the 6th year.<sup>2</sup>

Throughout the reign the currency was maintained at the full standard, without any depreciation, the penny containing 12½ grains Troy of silver.

For the King's daily spending we have one Kitchen account, that for the 44th year, October 1259-1260, giving the daily outlays under the various heads of Kitchen, Buttery, Stables, &c., and the given amount is £7,499 8s. 5d., practically the amount of the year shown on our Wardrobe Table, namely, £7,800. From these Kitchen accounts we learn that as a standing rule fifty poor persons had a dinner at the King's expense every day. The practice was adhered to abroad as well as at home, the given year being that of the King's second visit to Paris. For other years we get from the Wardrobe Accounts apparent totals of £4,416 (18th-19th years); of £4,600 (29th-35th years); of £8,000 (45th-49th years); while the accounts for the last five years of the reign show an average expenditure of £5,460 a year with £5,000 due to creditors. This was a better state of things than the Queen could show, who, with an average income of

<sup>1</sup> See Dawn, 300 and authorities there. 'Usury' would seem to be the proper term for interest. "*Interesse*" being damages or compensation; Pollock and Maitland. In a letter to the Pope we have the very phrase "*solvere interessa*".

<sup>2</sup> So Pipe Rolls, *passim*.



about £900 a year, owed at the last £22,328. But the King, who in 1254 could allow £2,000 for the year's work at Westminster, in 1272 had only £1,361 to contribute towards six years' building.

With respect to the Prince's allowance of £10,000 a year no accounts are forthcoming. But a glance at our Table XII of the revenues will show an average reduction to that amount from the 41st year (1256-1257) onwards, as compared with the previous years. This fall may safely be attributed to the payment of the annuity. Henry, if anything, was over-indulgent to his children, not likely to stint them.

Prices were rising steadily and continuously; as Wykes the chronicler complained.<sup>1</sup> At the beginning of the century we found that an ox cost 3s.; a bull, 2s.; sheep from 1½d. to 2d.; a pig, 9d. At the sale of Fawke's effects in 1224 an ox fetched 4s.; a cow with her calf, 3s. In the last years of the reign Mr. Rogers has a bull at 8s. 6d.; an ox at 14s.; sheep at 1s. 1d.<sup>2</sup>

The Corporation of the Merchants of the Steelyard dates from this reign. In 1194 Richard I had granted a charter to the men of Cologne that gave them an advantageous position in the London market. In vain for years Hamburg, Bremen, and Brunswick struggled for equal privileges. When, however, Lubec declared for the King of the Romans, a charter was granted to her merchants (10 May 1257); while three years later, at Richard's request, all the North German traders were incorporated as 'the Merchants of the German Guildhall in London'.<sup>3</sup> Their premises, occupying the site of the present Cannon Street Railway Station, became known as the Stahlhof or Steelyard. The success of the combination suggested the formation of the later Hanseatic League.<sup>4</sup>

<sup>1</sup> "*Omnimoda venalium genera incomparabiliter cariora*"; 278.

<sup>2</sup> Prices, I. 342, 359.

<sup>3</sup> "*Mercatores regni Alemannie in Guildhalla Teutonicorum in Londoniis residentes*"; Foedera, I. 384.

<sup>4</sup> Dawn, 302.



TABLE XII. REVENUES OF HENRY III

<i>Regnal year.</i>	A. D.	£	s.	d.	<i>Regnal year.</i>	A. D.	£	s.	d.
1	1216-1217	No Audit			29	1244-1245	38,891	9	6
2	1217-1218	No Audit			30	1245-1246	29,703	11	9
3	1218-1219	21,506	13	10	31	1246-1247	29,234	0	0
4	1219-1220	27,144	19	4	32	1247-1248	48,117	5	8
5	1220-1221	24,852	7	10	33	1248-1249	43,404	12	10
6	1221-1222	38,443	17	3	34	1249-1250	41,098	8	3
7	1222-1223	31,904	7	5	35	1250-1251	50,424	19	0
8	1223-1224	29,245	12	11	36	1251-1252	35,000	0	0
9	1224-1225	92,284	11	4	37	1252-1253	28,273	0	0
10	1225-1226	29,200	0	0	38	1253-1254	35,753	10	5
11	1226-1227	29,441	19	2	39	1254-1255	55,694	0	1
12	1227-1228	27,200	0	0	40	1255-1256	35,771	11	11
13	1228-1229	29,200	0	0	41	1256-1257	21,825	7	6½
14	1229-1230	50,073	15	1	42	1257-1258	22,039	10	2
15	1230-1231	30,200	0	0	43	1258-1259	24,542	8	11½
16	1231-1232	28,200	0	0	44	1259-1260	23,644	18	1
17	1232-1233	43,585	12	10	45	1260-1261	48,987	10	10
18	1233-1234	35,237	10	0	46	1261-1262	26,321	0	0
19	1234-1235	35,370	14	0	47	1262-1263	20,721	0	0
20	1235-1236	34,000	0	0	48	1263-1264	15,564	10	8
21	1236-1237	40,000	0	0	49	1264-1265	20,013	5	0
22	1237-1238	53,160	15	4	50	1265-1266	16,740	0	0
23	1238-1239	34,622	0	0	51	1266-1267	24,975	9	11
24	1239-1240	39,000	0	0	52	1267-1268	48,102	9	7
25	1240-1241	38,191	15	3	53	1268-1269	33,682	16	2
26	1241-1242	50,197	11	3	54	1269-1270	31,150	0	0
27	1242-1243	29,288	4	3½	55	1270-1271	22,150	0	0
28	1243-1244	31,180	4	7	56	1271-1272	33,578	13	0

TABLE XIII. AIDS OR SUBSIDIES OF HENRY III AS DISTINGUISHED FROM SCUTAGES AND TALLAGES

<i>Regnal year.</i>	A. D.	<i>Tax.</i>	<i>Yield.</i> £	s.	d.
1	1216-1217	Carucage or hidage of 2s. on the rated hide . . . . .	No return		
4	1219-1220	Same, on ploughs actually at work . . . . .	5,483	11	2
6	1221-1222	Graduated Poll Tax for Holy Land . . . . .	No return		
8	1223-1224	Grant by clergy of carucage of 6s. 8d. on hides in desmesnes and 2s. on lands not liable for military service . . . . .	2,376	14	2
9	1224-1225	Fifteenth of movables from clergy and laity . . . . .	57,838	13	6
10	1225-1226	Sixteenth of revenues of lower clergy . . . . .	No return		
16	1231-1232	Fortieth of movables from clergy and laity . . . . .	16,475	0	9
19	1234-1235	Aid for marriage of King's sister at 2 marks the fee . . . . .	No record		
21	1236-1237	Thirtieth of movables from clergy and laity . . . . .	22,540	14	1
29	1244-1245	Aid for marriage of King's daughter . . . . .	2,480	9	4
38	1253-1254	Aid for knighting King's son . . . . .	5,794	17	6
55	1270-1271	Twentieth of movables from clergy and laity (for Edward's Crusade) . . . . .	31,488	17	10½

TABLE XIV. SCUTAGES AND TALLAGES OF HENRY III

Regnal year.	A. D.		Scutages.		Tallages.	
			£	s. d.	£	s. d.
2	1217-1218	Rate 2 marks the fee .	2,818	6 8	1,075	6 8
4	1219-1220	Carucate . . .	5,483	11 2	—	—
5	1220-1221	Scutage 10s. . .	80	16 2	—	—
7	1222-1223	" 2 marks . . .	455	10 3	120	0 0
8	1223-1224	" " . . .	200	0 0	—	—
11	1226-1227	—	—	—	6,000	0 0 (assessed at)
13	1228-1229	Scutage 2 marks . .	1,800	0 0	—	—
14	1229-1230	" " . . .	3,688	11 0	3,600	0 0
15	1230-1231	" " (Poitou)	1,593	1 4	—	—
"	"	" at 20s. (Elveyne)	1,547	14 1	—	—
17	1232-1233	—	—	—	6,666	13 4 (Jews)
18	1233-1234	—	—	—	1,466	0 0
19	1234-1235	—	—	—	2,666	13 4
21	1236-1237	—	—	—	8,666	13 4 (Jews)
25	1240-1241	—	—	—	16,160	0 0 (Jews and demesnes)
29	1244-1245	Scutage 2 marks . .	No return		No return	
30	1245-1246	" 3 " . . .	756	16 11	—	—
33	1248-1249	—	—	—	4,000	0 0
36	1251-1252	—	—	—	4,913	17 1
41	1256-1257	Scutage 3 marks . .	181	6 8	6,666	13 4
44	1259-1260	—	—	—	No return	
49	1264-1265	—	—	—	14,766	13 4 (Amercements)
54	1269-1270	—	—	—	No return	

TABLE XV. REVENUE OF HENRY III AS PAID,  
INTO THE KING'S WARDROBE<sup>1</sup>

<i>Regnal year.</i>	<i>A. D.</i>	<i>Wardrobe Accounts.</i>	<i>Direct Receipts.</i>
8	1223-1224	say	£ 5,200
18	1233-1234	"	2,000
20	1235-1236	"	3,000
22	1237-1238	one account, say	8,622
23	1238-1239		8,622
24	1239-1240	one account, say	15,000
25	1240-1241		15,000
29	1244-1245		4,464
30	1245-1246		4,464
31	1246-1247		4,464
32	1247-1248	one account	4,464
33	1248-1249		4,464
34	1249-1250		4,464
35	1250-1251		4,464
42	1257-1258		7,800
43	1258-1259	one account	7,800
44	1259-1260		7,800
45	1260-1261		8,000
46	1261-1262	one account	8,000
47	1262-1263		8,000
49	1264-1265		2,365
52	1267-1268		5,000
53	1268-1269		5,000
54	1269-1270	one account	5,000
55	1270-1271		5,000
56	1271-1272		5,000

<sup>1</sup> See the special catalogue at the Record Office of the "Enrolled Wardrobe and Foreign Accounts of Henry III", where the references to the original documents are given.

TABLE XVI. REVENUE PAID INTO QUEEN'S WARDROBE

<i>Regnal year.</i>	<i>A. D.</i>	<i>Direct Receipts.</i>
24	1239-1240	£ 770
25	1240-1241	one account 770
34	1249-1250	389
37	1252-1253	2,273
39	1254-1255	1,200
40	1255-1256	1,248
42	1257-1258	721
43	1258-1259	721
44	1259-1260	721
45	1260-1261	one account 721
46	1261-1262	721
47	1262-1263	721
48	1263-1264	721
49	1264-1265	1,150
50	1265-1266	1,150
51	1266-1267	one account 1,150
52	1267-1268	1,150
53	1268-1269	1,150











